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ABSTRACT

This report examines the use of law enforcement agencies and the juvenile justice system as a double jeopardy mechanism for students, documenting the derailing of students from an academic track in school to a future in the juvenile justice system. The first section explores the emergence of zero tolerance policies and how they have led to the criminalization of student behavior. The second section examines the pervasiveness of zero tolerance policies, analyzing national statistics to document the high numbers of children criminalized by their schools and the disproportionate impact on children of color and children with special needs. The third section discusses the consequences of the schoolhouse to jailhouse track for children in Palm Beach County, Florida, schools. The final section presents proposed changes to these policies that may help keep children away from this track (e.g., schools must cease criminalizing students for trivial behaviors that can be handled by traditional, educationally sound school disciplinary measures; districts should improve collection of arrest/summons data and monitor referrals to law enforcement to root out subjective, unnecessary, and discriminatory referrals; and districts should be sensitive to the experiences of communities of color with law enforcement). Three appendices present the jailhouse track and the law; school level data for Baltimore, Maryland, Houston, Texas, and Palm Beach County, Florida; and diversionary programs. (Contains 63 endnotes.) (SM)

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Table of Contents

v Acknowledgements

7 Executive Summary

9 Introduction

10 Why Is This Train Moving So Fast?

11 "The Jailhouse Track": An Outgrowth of Zero Tolerance

13 A National Problem

21 Palm Beach County Schools: A Runaway Problem

29 Conclusion

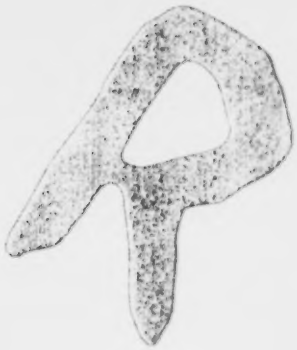
30 Room For Change

33 Endnotes

37 Appendix I: Jailhouse Track & The Law

43 Appendix II: School Level Data for Baltimore, Maryland, Houston, Texas, and Palm Beach County, Florida

88 Appendix III: Diversionary Programs



DERAILED:

The Schoolhouse *to* Jailhouse *Track*

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EXECUTIVE SUMMARY

THIS REPORT is Advancement Project's initial look at the use of law enforcement agencies and the juvenile justice system as a double jeopardy mechanism for students. It documents the derailing of students from an academic track in schools to a future in the juvenile justice system.

In the report, we find that creation of the schoolhouse to jailhouse track has damaged a generation of children, particularly children of color, in three significant ways.

- Criminalizing trivial offenses pushes children out of the school system and into the juvenile justice system. Even in cases where punishments are mild, students are less likely to graduate and more likely to end up back in the court system than their peers, and they are saddled with a juvenile or criminal record.
- Turning schools into "secure environments," replete with drug-sniffing dogs, metal detectors, and uniformed law enforcement personnel, lowers morale and makes learning more difficult.
- The negative effects of zero tolerance fall disproportionately on children of color and children with special needs.

In the first section, we explore the emergence of zero tolerance policies that have morphed into the schoolhouse to jailhouse track.

In the late 1980's and early 1990's, the media and political world focused on a growing crime problem and a few brutal crimes to create a new type of criminal, the "superpredator." Superpredators were brutal, conscienceless, incorrigible and, most frighteningly, they were young. They were presented as the products of permissive single-parent families, poverty and a lenient judicial system. The public and political system responded with outrage and with draconian changes to juvenile law—boot camps, and a zero tolerance attitude that made even the slightest offense a crime.

Zero tolerance was soon legislated into the school systems, as well. As schools filled with metal detectors, drug sniffing dogs and security personnel, administrators and teachers began to report vast and subjective classifications of "criminal" activities to the police. Administrators suspended and expelled students for ludicrous and even imaginary violations, and increasingly, turned those suspected of minor violations over to the juvenile justice system.

Although subsequent statistics show that the juvenile crime wave has receded, and that the "superpredator" phenomenon was little more than an urban legend, the laws and policies engendered by these misperceptions live on.

In the second section, we look at the pervasiveness of this tragedy, analyzing statistics from around the country to document the astounding number of children criminalized by their schools; the negative effects of turning schoolhouses into security bunkers, and the disproportionate impact on children of color and children with special needs.

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We document the significant number of student arrests, and the growing proportion of arrests for relatively trivial and subjective offenses, including trespassing, disorderly conduct, and offenses so obscure they are categorized as "miscellaneous," in districts as diverse as Miami-Dade, Florida, Houston, Texas, and Baltimore, Maryland.

We illuminate the growing police presence in public schools, and the sometimes disastrous results of using police as disciplinarians.

And we examine statistics from Houston and Miami-Dade schools showing that students of color are singled out for punishment significantly more often, regardless of where they go to school.

In the third section, we take an in-depth look at the Palm Beach County, Florida Public Schools, by putting a human face to the statistics and examining in depth the flawed logic behind the schoolhouse to jailhouse track, and the terrible consequences it can have for the children of Palm Beach County.

In addition, we explore the demographic and philosophical background of Palm Beach County's wrong headed policies by interviewing school Police Chief Kelly. We describe the way each participant in the schoolhouse to jailhouse track looks at the same situation and sees something different: children, their parents, and public defenders see student arrest as drastic and unwarranted law enforcement responses, and law enforcement and school officials view it as a rarity and a last resort.

The report goes on to look at the effects, often difficult to quantify, that a repressive school culture has on students.

Finally, we examine the exceptionally heavy burden children of color and special needs students are forced to bear.

In the final section, we present changes to these policies that we believe will keep children off the schoolhouse to jailhouse track:

- Schools must cease criminalizing students for trivial behaviors that can be handled by traditional, educationally-sound school disciplinary measures.
- School districts should improve data collection of arrest/summons data and should monitor referrals to law enforcement to root out subjective, unnecessary, and discriminatory referrals.
- State legislatures must clarify statutes pertaining to the referral of students to law enforcement agencies.
- Schools should notify students and parents of the conduct that the law requires–or standard practice dictates – to be referred to law enforcement agencies.
- School districts must be sensitive to the experiences communities of color have had with law enforcement.
- School district staffs, including school police, need to be trained to educate and manage the behavior of students with disabilities. Additionally, prosecutors and judges should be trained to properly take into account disabilities in the charge and sentencing phases.
- Schools should implement policies requiring that parents, or an adult advocate for the student, be present for any questioning of children where it is possible that criminal charges may be filed.

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INTRODUCTION:
The School House To Jailhouse Track

Fourteen-year-old Ricky a student in Palm Beach County Public Schools, was arrested by school police one recent Halloween, and charged with a second degree felony: "throwing a deadly missile." While the felony charge sounds serious, Ricky's "deadly missile" wasn't made with dynamite or biotoxins, nor did it contain gunpowder or dangerous chemicals. That Halloween, instead of trick-or-treating with friends, Ricky found himself cuffed, read his rights, and led away for carrying an egg in his pocket. That Halloween, the real trick was that school officials were ready to transform a moment of juvenile mischief into a felony conviction that would haunt Ricky for the rest of his life.

Ricky's lawyer, Legal Aid attorney Barbara Burch, was appalled. "In my day, the principal would have simply walked over to me and said 'good morning Miss Burch,' smacked my pants pocket to smash the egg and then said, 'have a good day Miss Burch.' He probably would have made me stay in school with the egg-soaked pants. That would have been the end of it. Now, these kids are facing suspensions, handcuffs, court, juvenile facilities, and probation for this conduct. It's insane."

"Tracking" is a commonly understood term for the controversial teaching strategy of grouping children by perceived ability. The approach is controversial because groupings are often subjective and, while teachers and school administrators put some children on the academic fast track to college and a successful career, children of color and poor children are disproportionately slow-tracked into "less demanding" or vocational courses, a track that leads away from college and toward low-paying, low-skill jobs.

In some school districts, public exposure, [illegible] litigation has reformed the academic tracking system. But even as the old [illegible] is being transformed or done away with, a third track has emerged, one even more [illegible] the ole old slow-track: the schoolhouse to jailhouse track.

In school district after [illegible] an inflexible and unthinking zero tolerance approach to an exaggerated juvenile [illegible] is derailing the educational process, turning schools into holding facilities; filling them with [illegible] cement professionals and wrapping them in security procedures and attitudes that make many [illegible] reports seem almost benign.

Within those schools, a growing number of students — particularly children of color students — are being pushed onto a track to prison. Students are being arrested and placed in the juvenile justice system for misbehavior that previously would have merited nothing more than in-school and at-home discipline. Once in the system and saddled with a juvenile record, these children rarely escape with their dignity and future intact. We believe that by shedding light on the serious consequences of the schoolhouse to jailhouse track, parents, educators and school systems will be motivated to re-evaluate an approach that is out of control; and academics and institutions will be persuaded to continue along the path we have broken, taking a close, systematic look at a failed approach, and documenting the damage it is doing to communities across the country.

Fortunately for Ricky, his charges were dismissed after he performed community service. Unfortunately, thousands of other children are finding their education cut short and their adult horizons dimmed when they are derailed to the schoolhouse to jailhouse track.

WHY IS THIS TRAIN MOVING SO FAST?

In the mid 1980's, a spike in juvenile crime rates gave birth to the term "superpredator." Rapidly embraced by the media, and fueled by a handful of highly publicized juvenile crimes, the superpredator theory held that America was under assault by a generation of brutally amoral young people, and that only the abandonment of "soft" educational and rehabilitative approaches, in favor of strict and unrelenting discipline – a zero tolerance approach— could end the plague. Public opinion continued to be swayed into the 1990's by significantly increased television coverage of juvenile homicides[1] and school violence. School-related deaths reached 56 in the 1992-1993 school year and decreased only slightly in the next year to 53 deaths.[2]

But soon, reality and media-fueled perceptions diverged. By 1999, 62 percent of the public still believed that youth crime was on the rise.[3] The truth was very different, though: while statistics showed an increase in lesser offenses – with simple assaults up 37 percent, disorderly conduct up 33 percent and "other offenses" up 35 percent, youth crime was down almost 30 percent overall between 1991 and 2000 with violent and property crimes decreasing significantly.[4] Despite declines in both the quantity and severity of youth crime, public outcry and, at times, political posturing led to sweeping changes in juvenile crime and education laws, with a focus on curfews, zero tolerance policies, and stepped-up law enforcement response to typical adolescent behavior.

Congress and state legislatures passed a series of initiatives aimed at reducing school violence, typically framed around strict penalties for misbehavior and a zero tolerance attitude. The Federal Gun Free Schools Act of 1994, which required that schools expel students found with firearms for one year, or lose federal funding – was rolled into legislation mandating that all schools be free of drugs, violence and unauthorized firearms, and offer a disciplined learning environment, by 2000.[5]

To meet these new federal mandates, states passed their own comprehensive school safety laws, often criminalizing conduct that once would have merited only a trip to the principal's office and a parent conference. Conduct ranging from childhood pranks to schoolyard scuffles suddenly meant summons and/or arrests, and prosecution in juvenile court.

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"THE JAILHOUSE TRACK": AN OUTGROWTH OF ZERO TOLERANCE

The phrase zero tolerance encompasses not only inflexible disciplinary policies and practices but also punishments that do not fit the conduct. In recent years, zero tolerance policies have come under fire for their irrational and ineffective approach to discipline.

Students, who engage in truly criminal behavior such as murder, serious violence, or the sale or possession of illicit drugs, should be subjected to criminal charges – as they were even before zero tolerance became the watchword. However, students should not be subject to the ridiculous consequences these rigid policies sometimes engender. For example:

- In Palm Beach County, Florida, a six year-old student was arrested for trespassing on school property. The student was walking through the school yard, after school hours, on his way home.[6]

- In Indianola, Mississippi, elementary school students have been arrested and taken to the local jail for talking during assembly.[7]

- In San Francisco, two 12-year old best friends had an argument; one later threatened to beat up the other. She was arrested and charged with making "criminal threats." This 6th grader was detained at juvenile hall and referred to juvenile court on the charge.[8]

- In Irvington, New Jersey, two elementary school boys were arrested and charged with terroristic threatening for playing cops and robbers with a paper gun.[9]

- In New Hampshire, a young student was charged for simply pushing a peer in the schoolyard.[10]

These examples illustrate the extreme reaction to non-offenses that are causing a growing number of students to be derailed into the juvenile justice system.

> *It is neither in the best interests of a generation of young people, nor society, to thrust so many youth into so unforgiving a juvenile justice system, for so little reason.*

In addition to an unthinking and inflexible zero tolerance stance, offenses created by school discipline statutes in many states are too vague and subjective. Delaware, for example, requires reporting to police, incidents where a school employee has been a victim of "offensive touching." This offense was the second most frequently reported incident,[11] but its occurrence is totally in the eyes of the beholder. Similarly, students may be reported to the police for "terroristic threatening," which include threatening to commit any crime likely to result in death or in serious injury – so students are arrested for boastful threats made in the heat of anger. [See Appendix I.]

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Added to this confusing mix, is the fact that statements given by students to school officials prior to arrest—without an attorney or even a parent present, are routinely used against them in court. Miranda warnings are not required, and students routinely incriminate themselves, even when they have done little that would normally interest law enforcement officials. [See Appendix I.]

In attempting to address one series of problems, officials created a series of equally serious problems.

- Criminalizing trivial offences pushes children out of the school system and into the juvenile justice system. Even in cases where punishments are mild, students are less likely to graduate and more likely to end up back in the court system than their peers, and they are saddled with a juvenile, and sometimes a criminal record.

- Turning schools into "secure environments," replete with drug-sniffing dogs, metal detectors and uniformed law enforcement personnel lowers morale and makes learning more difficult.

- The negative effects of zero tolerance and the schoolhouse to jailhouse track fall disproportionately on children of color and children with special needs.

The extreme reactions of local school systems are not supported by the facts. The data indicates that youth are not more violent than ten years ago.[12] Rather, society has become less tolerant of even the most minor youthful transgressions.[13] Hence, prosecutors now use their discretion to change "what was yesterday's battery into assault, simple assault into aggravated assault, a schoolyard fight into multiple felony charges."[14]

Zero tolerance policies are a cure in search of a disease, damaging thousands of lives every year, by forcing children onto the jailhouse track. Youth caught in the juvenile justice system are less likely to lead successful lives. "Most incarcerated youth lag two or more years behind their peers in basic academic skills, and have higher rates of grade retention, absenteeism, suspension and expulsion."[15] If this gap remains, these youth are likely to return to their communities unskilled and uneducated. At age 16, most of them will not return to school. Those who drop out are 3.5 times more likely to be arrested than their peers who graduate.[16]

It is neither in the best interests of a generation of young people, nor society, to thrust so many youth into so unforgiving a juvenile justice system, for so little reason.

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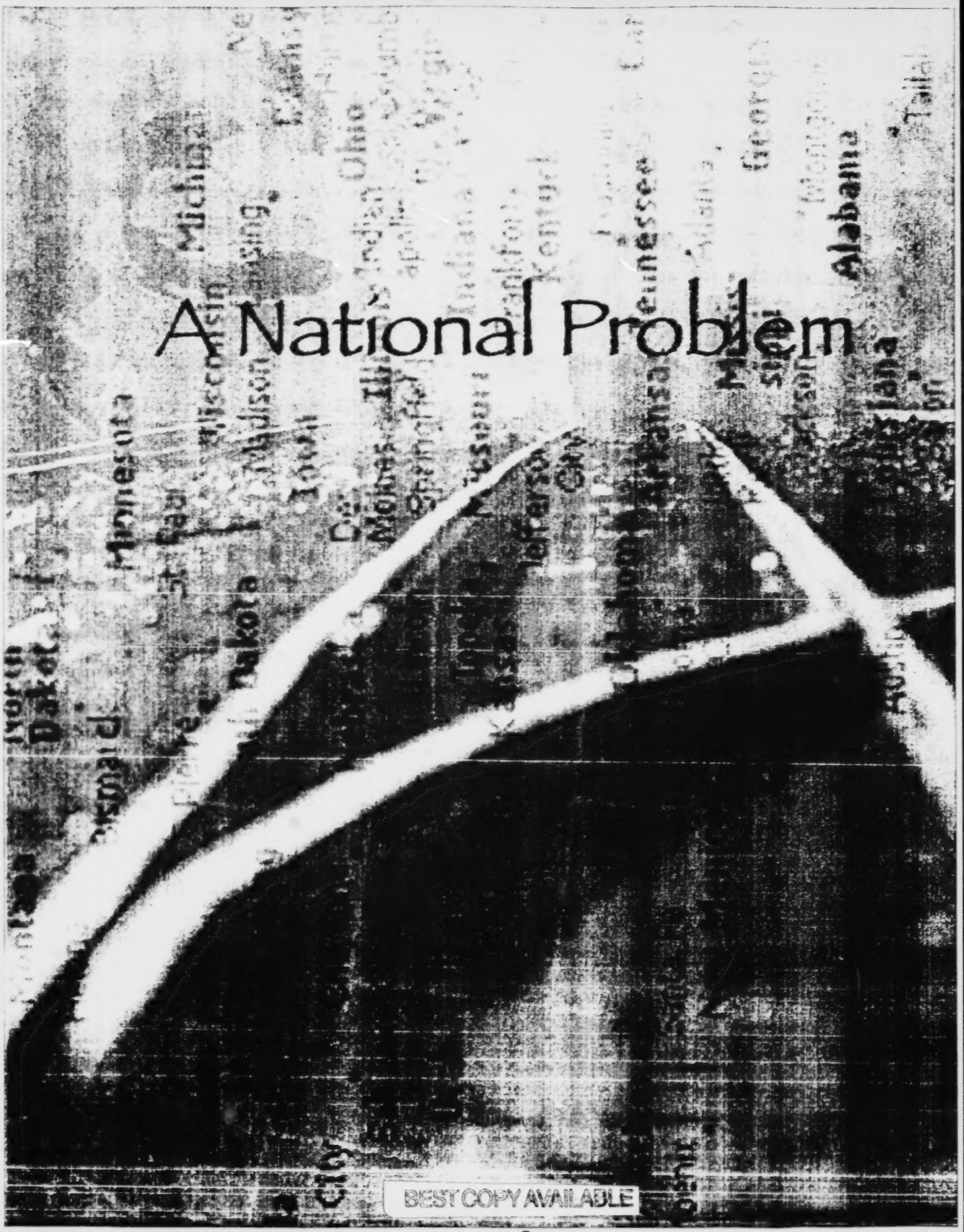
A National Problem
Alabama
Michigan
Minnesota
Ohio
Tennessee
Georgia
Mississippi
Louisiana
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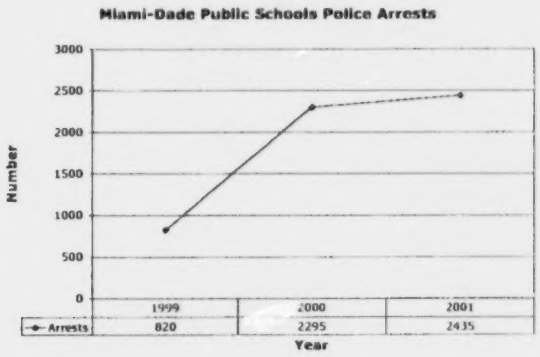
A look at data from across the country confirms that the schoolhouse to jailhouse track is crowded, that the atmosphere it creates harms students, and that it is disproportionately occupied by children of color.

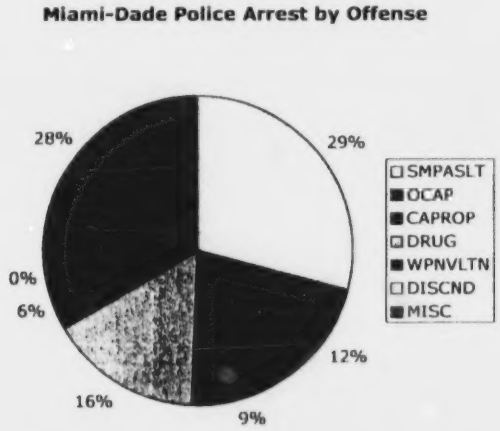
In many school districts, the number of arrests is rising with alarming speed, fueled by trivial arrests and broad, subjective definitions of criminal activity. Even in school districts where arrests are declining, the proportion of students sent to the station house where they would once have been sent home, or to the principal's office, remains disturbingly high.

Criminalizing Youth, Lasting Implications

Despite the negative impact of trivializing juvenile conduct, arrests continue to pile up. For example, in the Miami-Dade County Public School system, the largest school district in Florida with more than 368,000 students, arrests have almost tripled since 1999.



With 2,435 juvenile arrests in 2001, the top three categories of arrests were as follows: 29 percent were for simple assaults; 31percent were categorized as "miscellaneous"; 16 percent were for drug violations.[17]

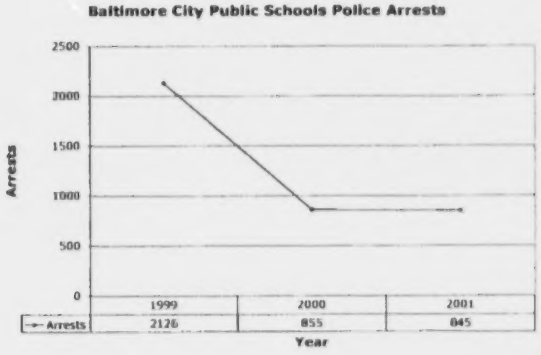


Simple Assault (SMPASLT), Other Crimes Against Persons (OCAP), Crimes Against Property (CAPROP), Drug (DRUG), Disorderly Conduct (DISCND), Weapons Violations (WPNVLTN), and Miscellaneous (MISC).

Many students who are forced onto the jailhouse track by serious prosecutions over relatively minor offenses suffer grave consequences. Most students, for even the most minor infraction, are placed on house arrest. In fact, Florida's Department of Juvenile Justice boasts that it is the leader in electronic monitoring for juvenile offenders.[18]

In some places, juvenile records do not have a lasting impact because they are, or may be, expunged at the age of 18. However, in some states, such as Florida, the existence of a juvenile record is a consideration in the sentencing of an adult. This is especially detrimental in places where prosecutors have discretion to charge juveniles as adults. Consequently, juvenile charges should not be taken lightly.

Even districts like the Baltimore City Public Schools, which has made progress in reducing the total number of in-school arrests, are still sending a significant number of children into the juvenile justice system for very minor acts. Within this 98,000 student, 87 percent black school district, arrests have declined significantly since the state took over the school system and the Board of School Commissioners implemented a plan that included a targeted 5 percent reduction in arrests and assaults.[19]



There are still too many students arrested in the Baltimore City schools and the majority of students continue to be arrested for minor offenses that in other settings would not be considered criminal. For example, there were 269 miscellaneous incidents that resulted in arrests, most of which were for trespassing and resisting arrest, this constituted 26 percent of the incidents committed in 2001.[20] Disorderly conduct incidents were also significant, accounting for approximately 18 percent of the incidents leading to arrest; disorderly conduct, fights (without weapons) and "miscellaneous" offenses account for 60 percent of the arrests in Baltimore's schools. (See Appendix II for school level data.)

There are still too many students arrested in the Baltimore City schools and the majority of students continue to be arrested for minor offenses that in other settings would not be considered criminal.

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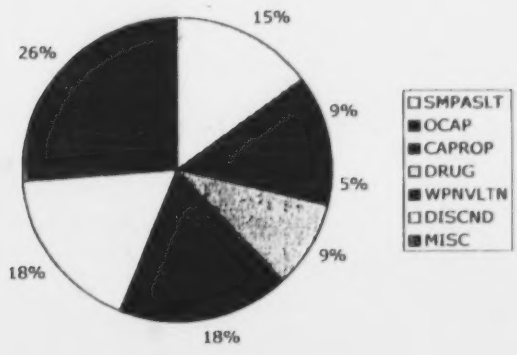
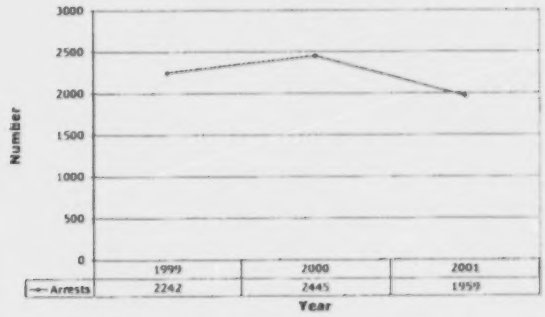
Baltimore City School Police Arrests by Offense



Simple Assault (SMPASLT), Other Crimes Against Persons (OCAP), Crimes Against Property (CAPROP), Drug (DRUG), Disorderly Conduct (DISCND), Weapons Violations (WPNVLTN), and Miscellaneous (MISC).

The Houston Independent School District (HISD) Police Department has also amassed a significant number of arrests of students. Similarly, most of these were for minor offenses. (See Appendix II for school level data.)

HISD Total Arrests



Maximum Security, Minimum Learning

In addition to stronger law enforcement responses to adolescent behavior, increased public fear of youth has provoked changes in relationships between schools and their students. Schools have become more prison-like.[21] They are now fortresses, closed to the public and secured by cameras, metal detectors, dog sweeps, and armed and unarmed police officers. School officials claim that this new environment ensures safety; that it is prudent to be safe rather than sorry and that precautions are necessary to avoid litigation if something tragic does occur. But many parents and advocates see over-reliance on discipline, police, and courts as a mechanism by which schools may dispose of unwanted children, especially children of color.

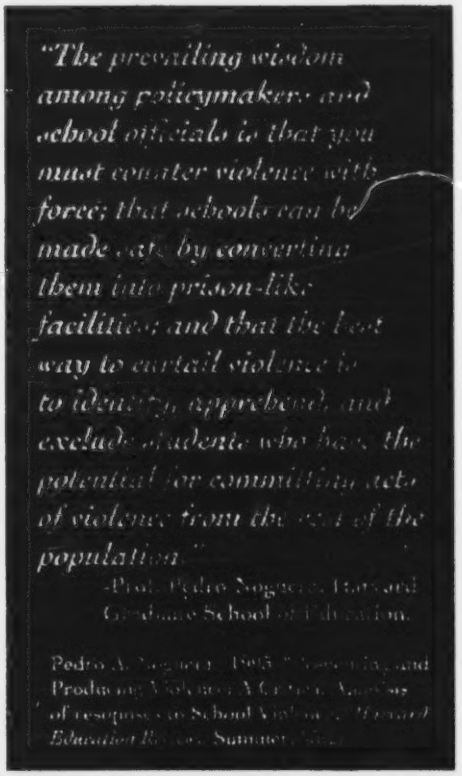
The way in which school districts employ law enforcement officers differs from district to district. In some districts, local police departments perform specific duties through a memorandum of understanding with the school district. Other districts have their own police departments.

- In Chicago, in 1999 there were more than 600 security professionals, and approximately 230 police officers assigned to schools from the Chicago Police Department's School Patrol Unit; two officers full-time in each school.[22]

- In New York, the New York Police Department provides law enforcement services to schools. in 1999, there were nearly 3,400 school safety agents, authorized to make arrests, but not carry weapons. Each high school had between 10 and 20 school safety agents, junior high schools and elementary schools had approximately three and one, respectively. In addition to these officers, there were approximately 165 regular police officers assigned to work in 143 schools at the principals' requests. In a two month period in 1999, these officers procured 340 arrests and handed out 457 summonses.[23]

- Since 1993, Philadelphia Public Schools has had its own police department. These officers are uniformed and unarmed. They do not have the power to arrest, but may detain an individual until local police arrive. In 1999, there were more than 340 school police officers.[24]

- Similarly, the Los Angeles Unified School District has its own police department, which was established in 1948 as a Security Section. The department, with an annual budget of $28 million, currently has approximately 305 sworn personnel.[25] These officers are armed and have the power to arrest.[26]


"The prevailing wisdom among policymakers and school officials is that you must counter violence with force; that schools can be made safe by converting them into prison-like facilities; and that the best way to curtail violence is to identify, apprehend, and exclude students who have the potential for committing acts of violence from the rest of the population."
-Prof. Pedro Noguera, Harvard Graduate School of Education

The presence of police in schools receives mixed reviews. In many jurisdictions, students and teachers feel safer because of a constant police presence.

In other districts, however, advocates, parents, and students find police presence more threatening. School police are seen as under-trained, unfamiliar with adolescent behavior and the effects of peer pressure, and unaccountable and insensitively humiliating students by entering classrooms to make arrests. Street cops are often seen as dramatically out of place in the halls of learning.

An October 2002 incident at Thurgood Marshall High School, in San Francisco, underscores the tensions between some communities and police. Two groups of students, totaling between three and five, broke into a scuffle, with other students looking on. School Resource Officers (SROs) broke up the fight and escorted the students to the office where they were to be picked up by their parents. When a family member of one of the students confronted some of the students, another small fight ensued and local police were called in to break up what an SRO termed a "riot." Nearly 60 police officers arrived at the scene, some in riot gear, while students were changing classes. Students alleged that the officers brandished their guns, used their batons, and hit, pushed and kicked students. Several students were injured and arrested. Police contend that the students were confrontational.

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"This was an overreaction," said English teacher Pirette McKamey. "The level of this response was a total disconnect with what was actually happening. Our students… They were being treated like common criminals."[27]

Even the teen who was initially attacked said the police response made things worse. Jason Morgan explained, "I was jumped, then I was put under arrest for being jumped and then the police started jumping me."[28]

Fortunately, a Community Task Force investigating the incident decided that "No criminal charges should be pressed… Based on our investigation, the situation escalated due to a failure of procedures that were controlled by the adults at the school site. The Community Task Force does not want students to be punished for the failures of adults."[29]

Youth of Color At-Risk

Where communities of color have poor relations with and distrust for police, introducing them into the school environment may not further the goal of making students feel safe.

In fact, after the Thurgood Marshall High School incident, African-American parents and students lambasted school officials and police for their overreaction. Marshall's then-Principal, Juliet Montevirgen, responded to the criticism noting, "After listening to a group of African-American parents…I reflected on my way of looking at the situation. I was brought up in a community and culture where a police uniform is the only thing that can save you. I was wrong to bring that assumption here."[30]

Students of color are disproportionately arrested in and out of school. In 1997, youth of color comprised approximately 33 percent of the country's juvenile population, but almost 66 percent of youth detained and committed to juvenile facilities were youth of color.[31] Black youth (ages 10-17) are at an especially high risk. While they make up 15 percent of the national juvenile population, they represent 26 percent of youth arrested and 45 percent of delinquency cases resulting in detention.[32]

Over a ten year period, black youth increasingly faced delinquency charges but were even more likely to be detained as a result of those charges.[33] By 2000, the juvenile arrest rate for black youth continued to be disproportionately high. During that year, approximately 7,400 arrests of white juveniles were made for every 100,000 persons age 10-17; the black youth arrest rate was 74 percent higher.[34] Disparities for youth of color exist at every stage of the juvenile justice process, but the disparity is more pronounced at the intake and detention decision phases.[35]

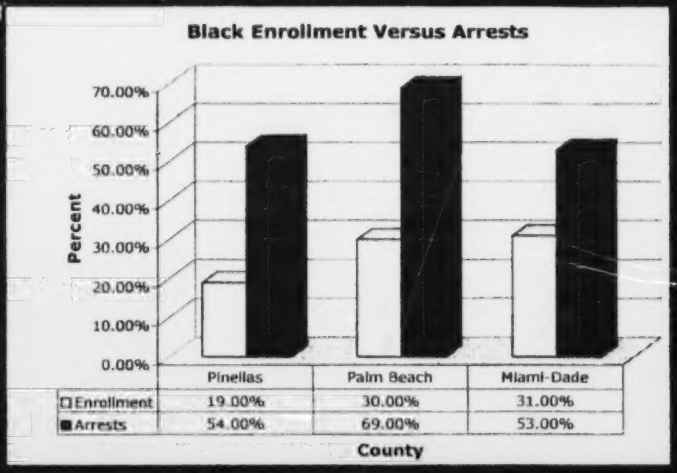
School-based arrests follow this pattern of racially disparate impact.

In Pinellas County, Florida for example, there are significant racial disparities in the arrests made by Pinellas County Schools Campus Police Department. In 2001, the district school police made 146 juvenile arrests. Of those arrests, 54% were black students, yet only 19% of student enrollment was black.[36]

Likewise, Miami-Dade School Police arrest a disparate number of black students. While black students represent only 31 percent of enrollment, they accounted for 53 percent of arrests.[37]

More Disparities

As explained in the Palm Beach County section of this report, black students in Palm Beach represent 30% of enrollment but 69% of arrests. Even at the individual school level, blacks are more likely to be arrested than their peers. For example, at Boca Raton Middle School, where black students have averaged almost 24.5% of enrollment from 1999-2001, they have accounted for 47% of arrests, on average, for the same period. At Forest Hill High School, where blacks average 23% of student enrollment, they averaged almost 60% of arrests on average.[1]



Also, in South Carolina, where black students represent approximately 42% of student enrollment, they are more likely than their white peers to be charged with disorderly conduct (75% of disorderly conduct offenses are black students). Approximately 90% of disorderly conduct charges are referred to law enforcement. Thus, black students would be more likely to be referred to law enforcement for such conduct. Disorderly conduct offenses are important because these charges are more subjective and thus, open to misinterpretation or discrimination.[2]

[1] Palm Beach County Public Schools Police Department Arrest Data 1999-2001.
[2] School Crime Incident Report, 2000-2001, South Carolina Department of Education. (Available online at http://www.sde.state.sc.us/reports/crime/2002/index.htm); Quick Facts, South Carolina Departmnet of Education

It is difficult to measure whether Latino students are also disproportionately affected by these practices because many districts and states do not maintain Latino data. Even in Florida, where there are significant numbers of Latino students, the State and districts fail to collect and maintain Latino arrest data. However, data from the Colorado Department of Education's Safety and Discipline Reports indicate that disparities exist for Latino students also. In Colorado, Latino students represented 22 percent of student enrollment in 2001-2002, but were 34 percent of referrals to law enforcement agencies. In Pueblo City, outside of Denver, Latino students were 55 percent of enrollment but 69 percent of referrals to law enforcement. Even in the small district of St. Vrain Valley, located in Boulder County, Latino students were 23 percent of enrollment and 40 percent of referrals to law enforcement. While these disparities may be less than those for black students, they are still significant.

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e arrest of 1,287 students in the Palm Beach County public
mber is higher than the student enrollment at an entire high
Beach County was to put faces on the numbers, to tell the
n the eyes of many of the participants in the schoolhouse
ol officials, law enforcement and public defenders. We
rticipants held radically different perspectives on the same
defenders see a big problem—drastic and unwarranted
nforcement sees no problem at all. These differences
umbers and anecdotes tell the same story revealed in other
ith a growing proportion of minor and subjective offenses;
iate targeting of youth of color and children with special

a stretch of Florida sunshine, mansions and million-dollar
reality in Palm Beach County, though. Follow the two-lane
here nothing exists but swamps and alligators. State road
ng a main road with prisons on either side – huge facilities,
empty as the Mississippi Delta. To the left lies the
rectional Institution, where incarcerated men, mostly black,
d by barbed wire. Directly across the road is the maximum
houses stand outside a large prison security gate – homes
hat, there's not much in Belle Glade besides the sugar cane
are few jobs. And for many young men in Belle Glade -- in
on.

nity to witness the jailhouse track first-hand. Juvenile
elle Glade. On this particular day, the court had a full
xception of two Latino youth. Most of the youth were with
ring orange jumpsuits and shackled at their ankles and
the room and the first case was called.

ican male, who attends a local public school. Due to an
at in school, which is typically against school policy. The
to wear a hat did not notify other administrators. During
n the hallway, an assistant principal demanded that John
ion to the assistant principal, who John claims did not
which point the principal intervened. John attempted to
y the principal and assistant principal; his back was against
h side. The principal moved toward John to attempt to
nctively, extended his arms to block the principal's reach,
es were sustained. A school police officer intervened and

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arrested John. He was charged with assault on a school employee. A trial was held. John was put on probation for 90 days and required to write a letter of apology to the principal.[40]
This is where the track to the jailhouse begins for a young man like John. Probation leads to continued monitoring of his behavior and if he trips up again, the penalties may be much stiffer including detention in a juvenile facility.

Many of the young men and women appearing before the juvenile bench have been sent by the Palm Beach County School Police Department.

The Palm Beach County Public School District, the nation's 14th largest, serves approximately 160,000 children. The district is comprised of 218 schools: 93 elementary, 26 middle, 24 high schools, 2 combination schools and 73 other (alternative, charter, adult, and vocational) schools. At almost 2,400 square miles, it is the largest district east of the Mississippi River, and includes urban areas such as West Palm Beach, suburban areas, and the rural, agricultural areas in the Glades. Students' backgrounds range from very wealthy to extremely poor. Approximately 40 percent of the district's students are eligible for free or reduced price lunch. The county's diversity extends to the racial demographics of school enrollment:

White Non-Hispanic	47 %
Black Non-Hispanic	29 %
Hispanic	19 %
Asian-Pacific Islander	2 %
American Indian/Alaskan Native	.5 %
Multiracial	2.6 %

Over the past several years, Palm Beach County School District has come under fire for failing to provide adequate education to children of color. A series of reports, entitled "A Gathering Storm," by the National Coalition of Advocates for Students and the Community Alliance for Reform in Education (CARE) documented many shortcomings in the Palm Beach County educational system. The first report found that students of color were more likely to be tracked away from quality academic programs;[41] more likely to be enrolled in "low performing" schools;[42] more likely to be suspended;[43] and more likely to drop out.[44]

Students often find themselves on schoolhouse to jailhouse track before the law gets involved. The final report in the series, *A Gathering Storm III*, documented the rising number of school suspensions and significant racial disparities in school discipline. Regardless of whether a black student were in elementary, middle or high school, he or she was more likely to be suspended than his/her white peers.

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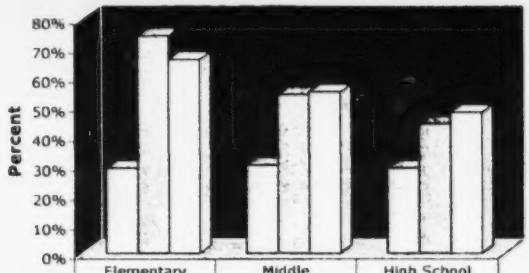
Palm Beach County Public Schools Black Enrollment and Suspensions



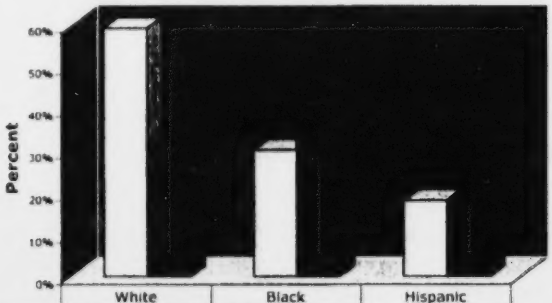
	Elementary	Middle	High School
Enrollment	29%	30%	29%
Out-of-School Suspensions	74%	54%	44%
In-School Suspensions	66%	55%	48%

School Type

A Gathering Storm III also concluded that black males were targeted for more subjective offenses. For example, while black male students comprised only 30 percent of middle school enrollment, they received 58 percent of the out-of-school suspensions for "disobedience" and "insubordination." This was twice the rate of their white peers. Black male students also received 55 percent of the out-of-school suspensions for "disruptive behavior." The report also found that the disciplinary procedures were "confusing and poorly defined."

As out-of-school suspensions grew from 13,158 1998-99 to 13,815 in 2000-2001—[45] black students continue to represent approximately 30 percent of student enrollment, yet they receive 53 percent of the out-of-school suspensions.

Palm Beach County Public Schools Enrollment and Suspension Rates: 2000-2001



	White	Black	Hispanic
Enrollment	59%	30%	18%
Suspension Rate	33%	53%	13%

Race

Criminalizing Youth, Lasting Implications

The Palm Beach School District Police Department was established in 1978, initially staffed by four police officers, with the mission of helping at-risk students. In the 1980's the mission moved from prevention to protection.[46]

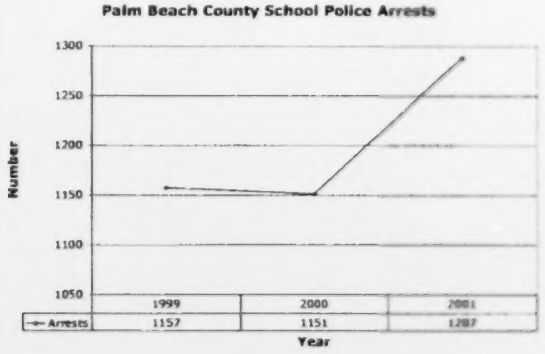
A tragic incident has in some ways impacted school security. In May 2000, a Palm Beach County student shot and killed his seventh grade language arts teacher, after being sent home for throwing a water balloon.

Chief James Kelly believes that the lessons learned from the Nathaniel Brazil case are: school shooters cannot be profiled; schools must be more proactive in communicating with students; schools must be more in tune with students' activities 24 hours a day, seven days a week; "Silence Hurts" (students must inform adults of potential problems); and schools must be prepared for crises.

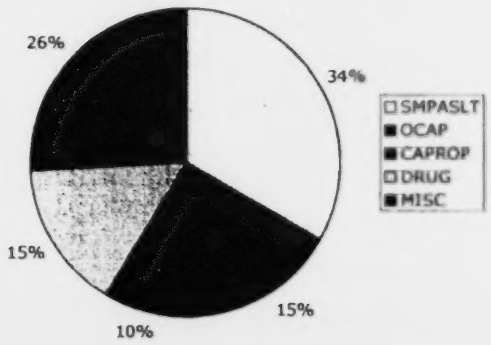
Despite this incident, Chief Kelly, believes that the department has reverted to its original mission, and that his officers rarely resort to arrest —despite the fact that his officers average seven arrests a day. He asserts that their job is to de-escalate situations and to arrest in rare instances, leaving daily security issues to principals. He contends that his officers are more tolerant of youthful misbehavior than the average street cop would be.[47]

Not surprisingly, the attitudes and procedures that bring suspensions and other disciplinary actions down harder on students of color continue to punish them disproportionately as the stakes rise and the legal system gets involved.

The juvenile arrest statistics tell a different story. Of all the juvenile arrests in Palm Beach County in 2001-02, arrests by the Palm Beach County School Police Department constituted 14 percent. Arrests rose 11 percent between 1999 and 2001 to 1,287—mostly for simple assault and "miscellaneous," infractions, which includes behavior such as disorderly conduct and disruption. [48]



Palm Beach School Police Arrests by Offense



Simple Assault (SMPASLT), Other Crimes Against Persons (OCAP), Crimes Against Property (CAPROP), Drug (DRUG) and Miscellaneous (MISC).

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Some of these arrests are deserved. When the tales of these arrests are examined, however, it becomes obvious that a heartbreaking number are overreactions to routine misbehavior.

One result of these prosecutions is that public defenders in Palm Beach are swamped with school-related cases that they believe do not belong in the court system. For example, there have been cases where students were charged with throwing a deadly missile – an orange or coke bottle—at a school building. Sex charges typically involve a student "mooning" others or pulling up another student's shirt. These cases are vigorously prosecuted by the states attorney's office, often without any offer to make a deal to lessen the charges.

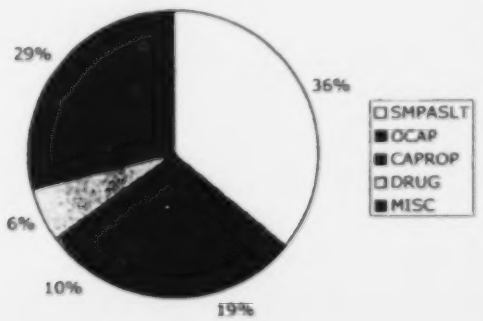
According to the public defenders, this zeal for criminalizing minor offenses shoves youth into the revolving door of the juvenile justice system. Their clients often end up back in the system because of violations of their terms of probation. These violations can be as minor as missing class, being late to school, or an unexcused absence. Suspensions, regardless of the reason, also constitute violations. As one public defender stated, "One little screw up and they're back in court." In many instances a violation of probation, even for a minor infraction, may result in the juvenile being locked up. [49]

Disproportionate Impact

Not surprisingly, the attitudes and procedures that bring suspensions and other disciplinary actions down harder on students of color continue to punish them disproportionately as the stakes rise and the legal system gets involved.

Significant racial disparities exist in the arrests made by the Palm Beach County School Police Department. During 1999-2001, black students constituted more than 60 percent of arrests made by the Palm Beach County School Police Department. In 2002, they were 30 percent of school enrollment, but made up 69 percent of the arrests.[50] And as with suspensions, black students find themselves disproportionately charged with more subjective and amorphous offenses. Of the arrests, Blacks constituted approximately 75 percent of the simple assault arrests and 69 percent of those charged with "Miscellaneous" crimes; while their white peers represented almost 75 percent of drug offenses. Among blacks who were arrested, they were more likely to be charged with Simple Assault.[51]

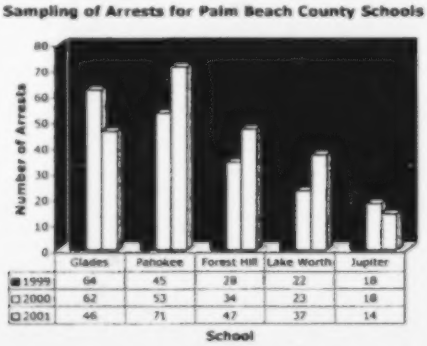
Palm Beach School Police Arrests by Offense of Black Students in 2001



Simple Assault (SMPASLT), Other Crimes Against Persons (OCAP), Crimes Against Property (CAPROP), Drug (DRUG) and Miscellaneous (MISC).

No matter where black youth go to school in Palm Beach County, they are the targets of arrests. In a sampling of predominantly white schools and heavily integrated schools (with an almost equal number of black, white and Latino students), black students were more likely to be arrested than their white counterparts.

For example, particular schools in Palm Beach County have high numbers of arrests. For example, the two high schools located in the Glades area, Glades Central High School and Pahokee Middle-Senior High School, both of which have predominantly Black and Latino student enrollments, 91percent and 94percent respectively, have significantly more arrests than other high schools. Heavily integrated schools, like Forest Hill High School (66percent minority enrollment) and Lake Worth High School (62percent minority enrollment), are not far behind. Conversely, predominantly white schools like Jupiter High School, with 10percent minority enrollment, have relatively low numbers of arrests. (See Appendix II for school level data.)



Area Superintendents assert they are working to reduce racial disparities in school discipline. Some actions may have promise; the new Student Code of Conduct uses a matrix of misconduct and consequences. Superintendents are monitoring disciplinary data for disparities and working with principals on any perceived problems. Other approaches appear less promising—one school official suggested to the author that the school district needs to single out African American children for anger management classes.[52]

The Disparity Continues

Sadly, students with disabilities are subject to disparate treatment, as well. For example, Indian Ridge, a school solely devoted to the education of students with disabilities, had 45 arrests in 1999, although this school only had 175 students — an arrest rate of almost 26 percent. Even with a decline in 2001, the arrest rate remained at an alarming 14 percent.

Tony is a thirteen year-old African-American male who has been diagnosed as "Educable Mentally Handicapped" and has Attention Deficit Hyperactive Disorder.[53] Despite the odds, Tony is now in the 7th grade. During the 4th and 5th grades, Tony was arrested and charged 18 times. For example, on a hot school day, Tony climbed on top of a portable classroom building to cool down. He was arrested and charged with disrupting school functions and then sent to a mental health institution because school officials alleged that Tony was trying to kill himself. On another occasion, Tony had a plastic bag of candy that his teacher thought she saw him put over his head. He was again arrested and charged with disrupting school functions and sent to a mental health facility.

Tony was also arrested for throwing a rock at a portable classroom building; he was charged with projecting a deadly missile onto an occupied structure. He was also arrested for speaking out of turn in class, throwing a spitball and moving around in class. Last year, Tony was again arrested for disrupting school functions. This time Tony, upset because the school would not let him take the FCAT, the state's standardized test, due to his disability, pulled the school fire alarm while the test was being given – a serious but, especially in light of his special needs, not a criminal offense.

In response to at least two of the incidents, Tony was placed on house arrest and required to wear an ankle monitor. He's been to court several times, including one time because the ankle monitor went off mistakenly. The cases against Tony have been dropped because he has been found incompetent to stand trial.

Unfortunately, Tony's story is a common one.

Barbara Burch, a Legal Aid attorney in Palm Beach County who specializes in representing children with special needs believes that most of the charges filed against students with disabilities are unnecessary. She states, "While no one would condone students hitting teachers, most incidents are not that situation. They are not situations where a student drew back his fist and cold-cocked his teacher. They are not intentional." She explains that in the past "it was expected that when you deal with kids with special needs, they cannot control themselves and there may be some physical contact, but still no serious injury."

Although Burch believes these cases should not go forward, they do. Even worse, the schools, police, prosecutors and judges often fail to take into account children's disabilities in determining whether to subject them to criminal charges.[54]

Of all Florida counties, Palm Beach County had the highest number of students charged with crimes and subsequently found incompetent.[55] Birch believes that "these are cases that should never have been filed," and finds it troublesome that the district throws these most vulnerable youth into the juvenile justice system instead of providing them with services that they need at school. As a result of the increasing number of referrals of students with special needs into the juvenile justice system, Legal Aid of Palm Beach established an office in Belle Glade to represent these children.

A Culture of Suppression

In an interview with the author, five of the six area superintendents and the Chief Academic Officer of Palm Beach County Schools articulated their belief that schools have become more violent, calling for increased law enforcement intervention.[56] They explained that at one time the school district simply had school security until a rise in drug possession and violence prompted the need for the establishment of a school police department. Initially, the public was hesitant to support the establishment of the police department, but were later convinced that it was necessary to have officers with broader powers than security guards.

The area superintendents believe that beyond those incidents required to be reported to law enforcement, school administrators must use their discretion in deciding when to involve officers. Generally, the decision to arrest students rests on the severity of incidents. The superintendents noted that arrests may be proper in situations involving physical violence against students or staff; possession of drugs or drug paraphernalia; theft; and weapons violations. They point out that the benefit of having a school district police department is that they will take even small issues seriously, whereas local police department officers get annoyed by schools calling them in for "little things."

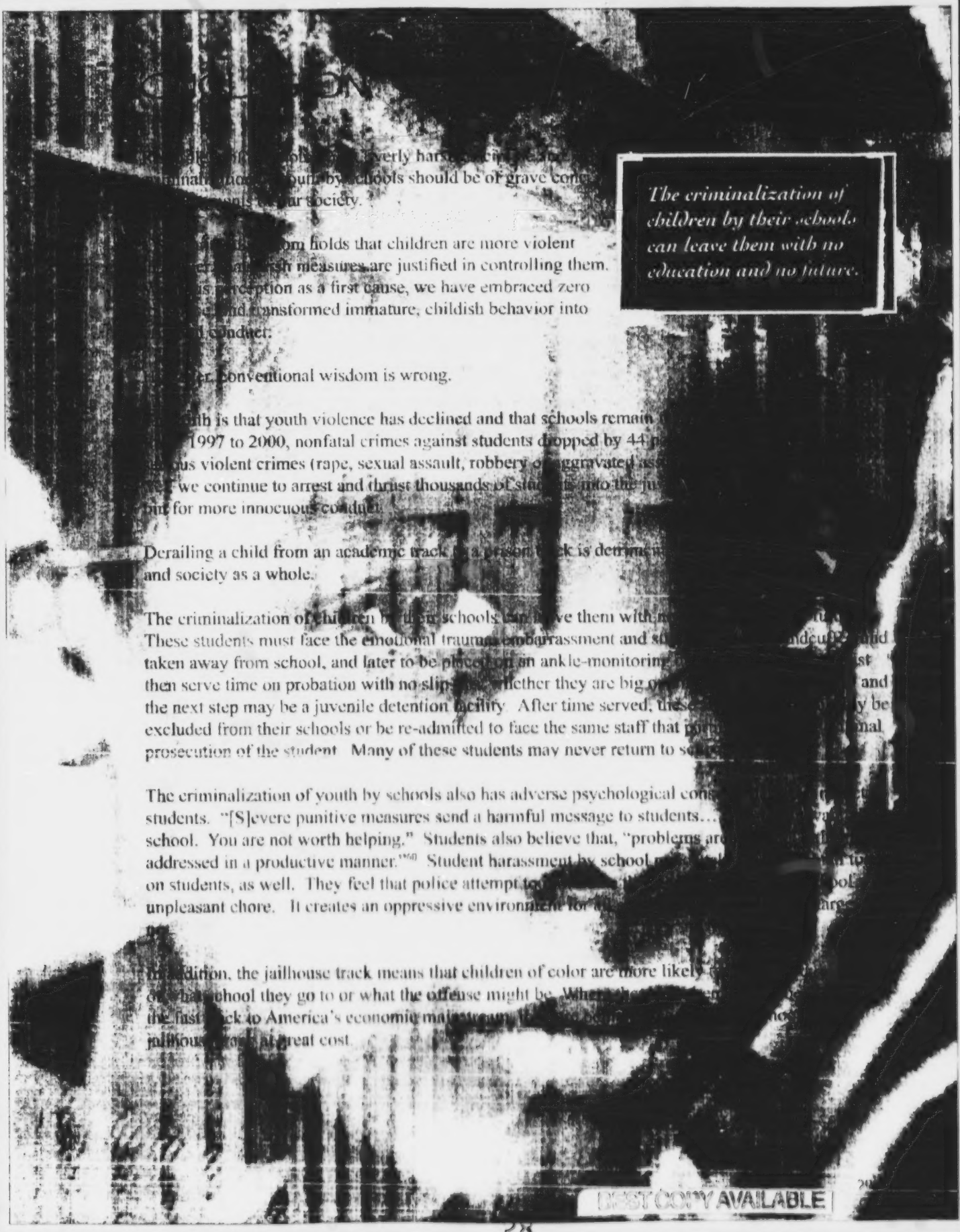
But, one result of this attention to "little things" is that students feel that they are always under suspicion. Gill, a Latino high school student, was called out of class for a fight he was involved in a day prior. The police officer who escorted him out of class to arrest him started to read Gill his rights but stopped and said, "You know your rights, you've heard them before." Gill had never been arrested prior to this incident, yet the officer assumed he had. As Gill relayed this story it was clear that he had suffered sincere humiliation at the hands of an officer who assumed Gill had a criminal history. This is Gill's story, but it exemplifies the way students are frequently treated by school officials and school police—they are "assumed-criminals." The students interviewed for this report expressed concern over never being above suspicion.

- A group of five students from Lake Worth High School described a school that focuses a lot of attention on weeding out young suspects. At least once a month, police do a drug sweep, using dogs to walk through crowds of students and to inspect buildings and lockers.[57] Police also check students' bags for drugs and permanent markers, assuming that these markers are used for graffiti. The school has cameras in the hallways and cafeteria, and students are required to display identification tags.

- Some students contend that school police often provoke students and treat them with disrespect. One student describes an incident in which a school police officer flicked the Puerto Rican flag medallion the student wore around his neck, and made a derogatory remark. School police especially display their bravado during student fights, spraying mace to break up the fight and disperse the crowd then roughing up students before handcuffing them. Students further assert that Latino students are assumed to be gang members. Ultimately, these students feel that no place is safe —they are harassed by police in school and on the street.

Student harassment by school police takes an emotional toll. Students feel that police attempt to intimidate them, making attending school an unpleasant chore. Fifteen-year-old Kevin claims that a Palm Beach School Police Officer choked and tackled him while attempting to arrest him for talking back to his teacher. Since returning to school after a suspension, Kevin feels that the officer is watching him, following him and attempting to provoke him. Kevin is scared, embarrassed and has told his mother that he wants to kill himself.[58]

There is grave concern that this type of interaction between students and police is detrimental to the learning environment. It may foster hostility within the school and damage relationships between students and school staff.



The criminalization of children by their schools can leave them with no education and no future.

...verly harsh ...ing ...
...criminalization of youth by schools should be of grave con...
...ns of our society.

...om holds that children are more violent
...ish measures are justified in controlling them.
...s perception as a first cause, we have embraced zero
...and transformed immature, childish behavior into
...conduct.

...er, conventional wisdom is wrong.

...th is that youth violence has declined and that schools remain ...
...1997 to 2000, nonfatal crimes against students dropped by 44 p...
...us violent crimes (rape, sexual assault, robbery or aggravated as...
...we continue to arrest and thrust thousands of students into the ju...
...nt for more innocuous conduct.

Derailing a child from an academic track to a prison track is detrim...
and society as a whole.

The criminalization of children by their schools can leave them with n...
These students must face the emotional trauma, embarrassment and s... ...ndcuffed and
taken away from school, and later to be placed on an ankle-monitorin... ...st
then serve time on probation with no slip-ups, whether they are big o... ...and
the next step may be a juvenile detention facility. After time served, the... ...y be
excluded from their schools or be re-admitted to face the same staff that p... ...inal
prosecution of the student. Many of these students may never return to sc...

The criminalization of youth by schools also has adverse psychological co... ...
students. "[S]evere punitive measures send a harmful message to students...
school. You are not worth helping." Students also believe that, "problems ar...
addressed in a productive manner."[6] Student harassment by school ... ...to
on students, as well. They feel that police attempt to ... ...ool
unpleasant chore. It creates an oppressive environment for ... ...are
[illegible].

In addition, the jailhouse track means that children of color are more likely ...
of what school they go to or what the offense might be. Wher... ...
the fast track to America's economic margins, ...
jailhouse track at great cost.

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ROOM FOR CHANGE

There are school administrators who express dissatisfaction with current schoolhouse to jailhouse tracking practices. In Palm Beach County, for example, Allison Adler, who heads the district's Safe Schools Department, sees the need for change at a fundamental level and predicts that disciplinary problems will not cease until all school staff believe that all children can learn.

She is pushing the school district to abandon the pure punishment model of discipline because she believes consequences alone do not change behavior. "We need to get rid of our over-dependence on punishment," Adler said. "We need to start instilling processes that change behavior."[61] Consequently, her department has been developing and implementing interventions for students along with a cultural shift. With regard to discipline, Adler is training schools to set norms to ensure consistency and avoid the appearance of unfairness a "single school culture."

We need a different kind of "zero tolerance" – the unnecessary arrest of one child should not be tolerated. Without such vigilance, the system will not change.

But in the final analysis, this approach does not go far enough.

As policymakers attempt to "Leave No Child Behind," reducing the criminalization of students by their schools should be a top priority. "Young people who receive inadequate education, who exhibit poor literacy skills, or who are truant, disproportionately wind up in the juvenile justice system."[62] We cannot afford to improve education for some children and dispose of others by dropping them from the rolls by incarcerating them. This latter group will not vanish. Consequently, we must ensure that real educational opportunities extend to all children, and that the runaway train towards criminalization is halted.

Laws must be changed through statutory fixes and, if necessary, litigation to reduce the number of petty cases that schools refer to the juvenile justice system to ensure that students' rights are protected. What specifically should be done?

- School officials and law enforcement officials should reduce the number of arrests by handling misconduct that is not egregious, and thus warranting criminal treatment, through traditional, educationally-sound school disciplinary mechanisms. Arrests and summonses should be used as last resorts.

- School districts, law enforcement agencies, state education agencies, juvenile justice agencies, and juvenile courts, should collect and maintain consistent arrest and summons data, relating to school-based incidents, that is disaggregated by race, gender, age, school, offense and arresting officer.

  For example, the Florida Department of Law Enforcement collects and maintains data regarding juvenile arrests by county and law enforcement agencies. Data relating to school-based incidents are only collected for districts that have their own police department. To the extent local police departments are called to arrest students, they should disaggregate this data from other juvenile arrests.

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In addition, the FDLE fails to maintain data regarding arrest of Latinos. FDLE collects arrest data for blacks, whites, "Orientals" and "Indians." Latino arrests are counted differently from one police agency to another. Thus, FDLE should disaggregate Latino arrests and rename categories to Asian and Native American.

- School districts should also collect and maintain data involving arrests/summons of children with disabilities.

- Data should be monitored to weed out rogue police officers and school administrators who employ over-zealous, unfair or discriminatory arrest/summons practices.

- Schools and police departments should have clear policies through "Memoranda of Understanding," about each other's role and responsibilities with regard to school incidents.

- Students arrested for lesser offenses, including simple assaults, should be placed into prevention/intervention/diversionary programs that avoid giving them a juvenile record. While there are programs for first time offenders in many places, these programs often focus on students with drug and alcohol violations, providing them with substance and alcohol abuse programs. However, students who are arrested for simple assault, a significant proportion of arrests, are often funneled directly into the juvenile justice system.[63]

- School staff and police who interact with students, should be provided training on child/adolescent development/psychology and behavior management.

- Research with regard to the national pervasiveness of the Schoolhouse to Jailhouse Track, is needed.

- State legislatures must clarify statutes pertaining to the referral of students to law enforcement agencies. In many instances schools may be interpreting these laws and other penal statutes with an eye towards disposing of unwanted children.

- Schools should notify students and parents of the conduct which the law requires -- or standard practice dictates – to be referred to law enforcement agencies. Many district codes of conduct address conduct subject to school disciplinary processes but do not outline the circumstances under which students will be referred to law enforcement agencies.

- School districts must be sensitive to the experiences communities of color have had with law enforcement in the hiring, training and practices of school police when they attempt to implement security programs, and understand that children's perceptions of police may be very different from their own.

- School district staffs, including school police, need to be trained to educate and manage the behavior of students with disabilities. Additionally, prosecutors and judges should be trained to properly take into account disabilities in the charge and sentencing phases.

- Schools should implement policies that require that parents, or an adult advocate for the student, be present for any questioning of children where it is possible that criminal charges may be filed.

We need a different kind of zero-tolerance – the unnecessary arrest of one child should not be tolerated. Without such vigilance, the system will not change.

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ENDNOTES

[1] While juvenile homicides dropped 13% between 1990 and 1995, related network news coverage increased 240%. Dohrn, Bernadine. 2001. "Look out Kid it's Something you Did: Zero Tolerance for Children," *Zero Tolerance: Resisting the Drive for Punishment in Our Schools*, William Ayers, Bernadine Dohrn, and Rick Ayers, eds. New York: New Press, 90 (citing Center for Media and Public Affairs. 1997. "Network News in the Nineties: The Top Topics and Trends of the Decade." *Media Monitor* 11 (July/August)).

[2] *National School Safety Center's Report on School Associated Violent Deaths*. 2002. National School Safety Center.

[3] Dohrn, B. 2001, 90. (Citing Dorfman, L. and Schiraldi, V. 2001. *Off-Balance: Youth, Race and Crime in the News*. Building Blocks for Youth.)

[4] *Id.*; Howard, Snyder. 2002. "Juvenile Arrests 2000." *Juvenile Justice Bulletin*. Washington, D.C. Office of Juvenile Justice and Delinquency Programs, U.S. Department of Justice.

[5] 20 U.S.C. § 7102.

[6] Interview of Gail Davis, Legal Aid of Palm Beach County, April, 2002.

[7] Interview of Betty Petty, Indianola Parents-Students Group

[8] Survey response from Molly Dunn, San Francisco Public Defender, January 2003.

[9] Haughney, Christine. 2001. "2 Boys, a Paper Gun and a Heap of Trouble," *Washington Post*, June 20.

[10] Survey response from Monica Keiser, New Hampshire Public Defender Office, January 2003.

[11] Annual Report of School Climate and Student Conduct. 1999-2000. Delaware Department of Education

[12] "Challenging the Myths," *1999 National Report Series, Juvenile Justice Bulletin*. 2000. Washington, D.C.: Office of Juvenile Justice and Delinquency Programs, U.S. Department of Justice.

[13] Id., 4.

[14] Dohrn, B. 2001, 92.

[15] *Abandoned in the Back Row: New Lessons in Education and Delinquency Prevention*. 2001. Coalition for Juvenile Justice, 8.

[16] *Id.*, 10.

[17] *Crime in Florida*. 1999-2001. Florida Department of Law Enforcement.

[18] *Youth Crime in Florida*. 1996. Florida Department of Law Enforcement, 11.

[19] *Report on the Final Evaluation of the City-State Partnership: Presented to The New Baltimore City Board of School Commissioners and the Maryland State Department of Education*. 2001. Westat.

[20] The incidents data includes the number of times students were charged for each category of offense ultimately leading to an arrest. In many cases, arrests carried more than one charge. Thus, there are more incidents than total arrests.

[21] Dohrn, B. 2001, 95.

[22] *Approaches to School Safety in America's Largest Cities*. 1999. Vera Institute of Justice, 7-8.

[23] Vera Institute Report. 1999, 4.

[24] *Id.*, 29-30, 48.

[25] *Id.*, 19; www.laspd.com.

[26] *Id.*, 20.

[27] Delgado, Ray, Van Derbeken, Jaxon and Asimov, Nanette. 2002. "Melee Closes S.F. High School," *San Francisco Chronicle*, Oct. 12, A17.

[28] *Id.*

[29] *Id.*

[30] "S.F. High School Reopens After Melee," *San Francisco Chronicle*, 2002. October 22, A23. Principal Montevirgen resigned during the ensuing controversy.

[31] "Minorities in the Juvenile Justice System," *1999 National Report Series Juvenile Justice Bulletin*. Washington, D.C.: Office of Juvenile Justice and Delinquency Programs, U.S. Dept. of Justice, December, 1.

[32] *Id.*

[33] *Id.*, 9.

[34] *Statistical Briefing Book*. 2002. Washington, D.C.: Office of Juvenile Justice and Delinquency Programs, U.S. Dept. of Justice. Over the past twenty years the number of Black youth arrested for simple assault increased significantly (143%).

[35] "Minorities in the Juvenile Justice System." 1999, 3.

[36] *Uniform Crime Reports*. Florida Department of Law Enforcement; *Profiles of Florida School Districts*, 2000-01. Florida Department of Education.

[37] *Crime in Florida*. Florida Department of Law Enforcement. Juvenile arrests are not disaggregated by race. However, the total arrests made by the Miami-Dade County Schools Police are disaggregated by race. Even if all of the adults arrested were black, blacks would represent 46% of student arrests.

[38] Interview with Judge David Mitchell, January, 2003.

[39] Survey response of Molly Dunn, San Francisco Public Defender.

[40] Interview with John and his mother. (Name has been changed.)

[41] Carmona, Lisa, et *al*. *Gathering Storm II*. 1999. National Coalition of Advocates for Students and The Community Alliance for Reform in Education. In 1997-98, blacks represented 29.6% of enrollment but only 6.6% of students in gifted classes.

[42] *Id.* In 1996-97, six schools, each with at least 80% Black and Hispanic enrollment, were placed on the State's list of "critically low performing schools" (performed below state minimum on standardized tests for two consecutive years).

[43] *Id.* While African-American students were only almost 30% of enrollment, they constituted approximately 49% of suspensions.

[44] *Id.* Drop out rates in 1996-97 for white, black and Hispanic students were 3%, 4.5% and 7.5%, respectively.

[45] Civil Rights Compliance Report, U.S. Department of Education.

[46] Interview with Police Chief Kelly, Palm Beach County Public Schools Police Department, April, 2002.
[47] *Id.*
[48] *Crime In Florida.* 1999-2001. Florida Department of Law Enforcement.
[49] Interview with group of Palm Beach County Public Defenders, April 2002.
[50] *Crime in Florida.* 2001. Florida Department of Law Enforcement. This disparity is an estimate due to a lack of disaggregated data. The total arrests are disaggregated by race but the juvenile data is not. In 2001, there were 1426 arrests, of which 927 were black persons and 1287 were juveniles. Thus, the District does not report the exact number of black juveniles arrested by their officers. However, even if all adult arrestees (139) were black, the percent of black youth arrestees (61%) would still show a disparity in relationship to enrollment.
[51] *Crime in Florida.* 2001. Florida Department of Law Enforcement.
[52] Interviews with Dr. Orr, Chief Academic Officer; and five Area Superintendents, April 2002.
[53] The stories of Tony were recounted by his mother during an interview in April, 2002.
[54] Interview with Barbara Burch, Legal Aid of Palm Beach County, March 27, 2003.
[55] Of the 116 juveniles charged with crimes in school and ultimately found incompetent to stand trial, Palm Beach students accounted for 18 of those cases. Department of Children and Families, Forensic Services Office.
[56] Interviews with Dr. Orr, Chief Academic Officer; and five Area Superintendents, April 2002.
[57] Palm Beach County School Police Department has 3 officers assigned to the position of Drug/gun Canine Handler. (Palm Beach County Schools 5/30/01).
[58] Interview of Kevin's mother, April 2002. (The name has been changed.)
[59] *Indicators of School Crime and Safety.* 2002. Washington, D.C.: National Center for Education Statistics, U.S. Dept. of Education and Office of Justice Programs, U.S. Department of Justice, Table 2.1.
[60] *Abandoned in the Back Row*, 2001, 20.
[61] Interview with Allison Adler, Safe Schools Department, Palm Beach County Public Schools, April 2002.
[62] *Abandoned in the Back Row*, 2001, 8 (citing J.S. Catterall, *On the Social Costs of Dropping Out of School*, 1985. Stanford, CA: Center for Education Research.)
[63] See Appendix III for examples of diversionary programs.

APPENDICES

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APPENDIX I
Jailhouse Track & The Law

Statutory Vagueness

In Delaware, state law requires that principals immediately report "crimes" to the police.[1] Of course, acts defined as "violent felonies" are covered by the statute.[2] These crimes constitute only 2.6% of incidents.[3] But more amorphous terms raise concern.

Delaware law requires reporting to police of incidents where a school employee has been a victim of "offensive touching." This offense was the second most frequently reported incident in Delaware schools reported to police in the 2001 school year.[4] Under Delaware law, a student is guilty of "offensive touching," when the student intentionally touches a school employee *knowing he is likely to cause offense or alarm* [emphasis added] or strikes an employee with saliva, or a bodily fluid.[5] Clearly, terms like these are subject to broad interpretation.

Similarly, students may be reported to the police for "terroristic threatening," which includes threatening to commit any crime likely to result in death or in serious injury. There were 184 terroristic threats against school employees and another 88 against non-employees during the 2001 school year.[6] Again, the interpretation of this law may criminalize even an idle threat made by an immature student.

During the same year, assaults were the most frequently reported incident in Delaware schools. Assaults against students accounted for 18 percent of the school incidents reported to the police.[7] Disorderly conduct was also frequently reported, accounting for almost 14 percent of reported incidents.[8]

Similarly, in Texas, minor student conduct may now rise to the level of a criminal offense. There are two different provisions of Texas education law that may send students into the juvenile justice system for school misconduct.

Under Texas law, principals must notify police of certain conduct. This includes the obvious -- deadly conduct, possession of weapons, and use, sale or possession of a controlled substance or paraphernalia. The law also allows procedure to trump common sense by requiring reporting of "terroristic threats," including threats of violence with intent to "place any person in fear of imminent serious bodily injury."

Under Texas law, the fact that the person has no intention of carrying out the act of violence is irrelevant. Rather, what is important is whether the threat creates fear. A recent case in Texas illustrates this point. A twelve-year old middle school student was charged with making a "terroristic threat" for threatening to "blow up the school" when he was suspended for misconduct. The Texas court held that "terroristic threat" does not require actual intent or ability to carry out the threat but merely that the student intended to disrupt school activities.[9] Given earlier absurdities in the name of "zero tolerance" one can imagine that even a five-year old student threatening to beat up another may be charged with making a "terroristic threat."

Texas education law also contains penal provisions that pertain to students. Students are guilty of a misdemeanor if they intentionally engage in conduct to disrupt classes. This includes: making noise of an "intensity that prevents or hinders classroom instruction;" enticing another student to "cut" class; and entering a class without permission and disrupting the class with use of loud or profane language.[10] "Disruptive Activities" such as obstructing passage of persons, or preventing or attempting to prevent by force or threat, a lawful assembly, are also subject to misdemeanor charges.[11]

As a result of these laws, students find themselves being hauled off school grounds in handcuffs or responding to a summons to appear in juvenile court. In many schools these laws have been interpreted very broadly. The reasons for this may be attributed to three concerns.

First, some state laws fine school employees for failure to report incidents. For example, in Delaware, failure to report incidents covered by state law may lead to a $250 fine for the first offense and up to $500 for any subsequent offenses. Similar personal liability provisions extend to school employees in Mississippi, South Carolina, Alabama, Georgia, Arkansas and New Hampshire.

Second, school administrators claim that what may seem as overly zealous application of the law is a precaution against legal liability in instances where someone is seriously injured or killed.[12] Third, these laws may be used to quickly dispose of unwanted students by turning to law enforcement agencies and courts to dole out punishments instead of utilizing school disciplinary measures.

Because the interpretation of these laws may vary from school to school, and district to district, more guidance should be given to schools to ensure equal and standardized application of the law so that it applies in instances the criminal laws were intended to reach.

Miranda and Students' Rights

Students facing charges for conduct in school may find that they have little in the way of legal protection. *Opportunities Suspended: The Devastating Consequences of Zero-Tolerance and School Discipline* provided a thorough review of case law pertaining to suspensions and expulsions. We concluded that because the courts have granted schools wide latitude in fashioning punishments, students are often left with no protection under the law from what may be harsh and unfair punishment. In the case of criminal charges against students, students have some legal protections, but those protections depend on who is questioning the student and under what circumstances. There is concern that students, not understanding the consequences, make statements to school officials and school resource officers that are later used against them in court. This dynamic may create distrust between students and school staff in the long run.

Like any other person taken into custody for questioning by law enforcement, juveniles must be given a *Miranda* warning.[13] In the context of school arrests, the significant issue for consideration is under what circumstances are students entitled to have *Miranda* warnings.

Students are entitled to be read their *Miranda* rights when they are questioned by law enforcement officials and being held in custody. But school administrators are not considered law enforcement officials, even where they intend to turn over any incriminating statements made by students to law enforcement officials. Courts have held that school officials need not adhere to *Miranda* because administrators are merely acting to ensure the safety and welfare of the school, and not as agents of the police.[14] This leeway is granted to school administrators because they must regularly conduct inquiries into violations of school rules, incidents of violence, and the existence of weapons or drugs.

For example, in *In re Harold S.*, 731 A. 2d 265, (S.Ct. R.I. 1999), a thirteen year-old middle school student was charged with assault for punching and kicking another student. The day after the fight, a police officer informed the principal of the incident and that he intended to question the students involved. The principal then questioned the alleged aggressor and obtained a written confession from him. Following his customary practice, the principal provided the statement to the police officer, who then charged the student with assault.

The Supreme Court of Rhode Island held that the student was not entitled to a *Miranda* warning. The court stated that school officials must provide *Miranda* warnings only where they are acting as an instrument or agent of the police in an effort to elicit statements by coercion or guile. Here, despite the fact that the principal intended to provide the statement to the police, the court found that he was not working at the behest of the police or as an agent. Instead, the principal initiated and conducted the investigation on his own. *Id.* Many other cases have relied on similar reasoning.[15]

In at least one instance, a court has found that a student's Fifth Amendment rights were violated when he was questioned by a school official. In that instance however, the court found that the questioning was conducted at the behest of, or in the presence of, law enforcement officials. In *State v. M.A.L.*,[16] a student was questioned by the assistant principal about several burglaries of the school. The school official questioned the student twice. The second time the student confessed. The official interrogated the student again with a police officer present. Both confessions were inadmissible at trial.

The Court found that the student's rights were violated under a state statute which requires that in order for information to be admissible at trial, the questioning of a student by a law enforcement or investigative agency must be done in the presence of the student's parents, guardian, attorney or legal custodian. The court held that the confession made in the presence of the officer was inadmissible because the questioning occurred in the absence of a parent or attorney. The confession that occurred in the absence of the police officer was also inadmissible. The court stated that while school officials are free to question students and use statements for disciplinary proceedings, which was not the purpose of the interrogation in this particular case. Here, the assistant principal was not merely looking into a violation of school rules but was acting in an investigatory manner.

There appears to be no bright line distinction in the reasoning of courts. For example, in South Carolina, a student was summoned to the principal's office by police officers investigating charges of vandalism, where he was questioned by the principal in the presence of the police. The student confessed. On appeal of the conviction to the Supreme Court of South Carolina, the court held that the student was not entitled to a *Miranda* warning because the mere presence of police officers "did not render it a 'custodial interrogation.'"[17]

School security officers are similarly exempt from adhering to *Miranda*. In *In the Matter of L.A.*, a Kansas student was searched for drugs and questioned by the principal and a school security guard. On appeal of a conviction, the student asserted that the school security officer should have given him a *Miranda* warning. The student reasoned that under a Kansas statute school security officers possess and exercise all general law enforcement powers and thus, should be required, as law enforcement officers are, to provide *Miranda* warnings. The Supreme Court of Kansas upheld the conviction stating that the question turns on whether the officer is employed by an agency whose primary mission is to enforce the law. The court thus concluded that a school security officer employed by a school district is not required to adhere to *Miranda*.[18]

Alternatively, school resource officers are subject to the requirements of *Miranda*. For example, in *In the Interest of R.H.*,[19] a student was escorted by school police officers in regard to allegations of vandalism. The student was questioned without being told of his *Miranda* rights.

The student confessed but later appealed the conviction because the school police failed to be provided a *Miranda* warning prior to questioning him. The Supreme Court of Pennsylvania held that the student was entitled to a *Miranda* warning. Looking to Pennsylvania statutory law, the court noted that school police officers may be granted the authority to exercise the same powers as municipal police, including the power to arrest and issue citations. Furthermore, the court found that the school police were wearing uniforms and badges and that the questioning led to charges by municipal police not school disciplinary action. Thus, the court held that these school police officers were "law enforcement" within the meaning of *Miranda*.

Where students are questioned by persons who clearly fall within the meaning of "law enforcement officers" the right to be warned pursuant Miranda then turns on whether the student is "in custody." In *In The Interest of John Doe*,[20] a 10 year-old boy was summoned to the faculty room of his school to be questioned by the school resource officer regarding allegations that he molested a younger girl. The boy was escorted by school staff to the room where he was interviewed. The school resource officer did not wear a uniform but his badge was visible and the student knew he was a police officer. The SRO told the student the purpose of the meeting and assured him he was not being arrested. The student was not advised of his *Miranda* rights. The student admitted that he had sexually touched the victim and was then permitted to return to class. He was subsequently charged with lewd and lascivious conduct with a minor. The Court of Appeals articulated the factors to be considered in determining whether a student is "in custody."

> [t]he objective test for determining whether an adult was in custody for purposes of *Miranda*, giving attention to such factors as the time and place of the interrogation, police conduct, and the content and style of the questioning, applies also to juvenile interrogations, but with the additional elements that bear on the child's age, maturity and experience with law enforcement and the presence of a parent or other supportive adult.

Furthermore, the court noted that school settings are more constraining than other environments thus, requiring that special attention be given to the age and sophistication of children during police interviews.[21] In the case at bar, the court upheld a decision suppressing the confession finding that the student was given a mandatory directive to go to the faculty room for questioning by the police officer. He was not informed that he could leave or refuse to answer and no parent was present.[22]

RECOMMENDATIONS:

Modifications in the law could help reduce the numbers of derailed students. First, state legislatures must clarify statutes pertaining to the referral of students to law enforcement agencies. Second, schools should notify students and parents under what circumstances the law requires, or standard practice dictates, referral of students to law enforcement agencies and for what conduct. Third, schools should implement policies that require that parents, or an adult advocate for the student, be present for any questioning of children where it is possible that criminal charges may be filed. Also, students should be routinely advised of their *Miranda* rights where criminal charges may be filed.

Where lawyers seek to suppress a confession made to a school administrator and subsequently used by law enforcement and prosecutors, leeway may exist in the development of legal arguments that focus on legally mandated reporting of students to law enforcement agencies.

Thus, where a state requires that schools refer students to law enforcement agencies, it may be that schools become an investigatory arm of law enforcement agencies. For example, in *People v. Kerner*,[23] an investigator at the Department of Children and Family Services received complaints that defendant sexually abused three children.

The police accompanied defendant to the police station where he was questioned by the DCFS investigator, while the officers and the State's Attorney waited outside. The investigator told defendant that he would have to notify the police if defendant incriminated himself but did not give him a *Miranda* warning. Thus, he was not told he had the right to remain silent and to an attorney. The defendant made several incriminating statements to the officer and provided a written confession, which were used against him in court. In appealing his conviction, defendant asserted that he was entitled to a *Miranda* warning from the DCFS investigator. The Appellate Court of Illinois agreed. The court reasoned that although the DCFS investigator was not a law enforcement officer, he was obligated by law to report defendant's actions and his role in the investigation was integrated with that of the police and prosecutor, and adverse to the interests of the defendant. The court stated that the investigator "acted as a conduit for information elicited from the defendant and used by the authorities in the prosecution of defendant."[24]

Although this argument has been rejected in a school case, it was due to the circumstances presented. In *In re E.M.*,[25] the court rejected the theory set forth in *Kerner* because acts taken by the school official were fully independent of the police. In that case, the school official did not notify the police until eight months after the incident that the student made statements that implicated himself. Additionally, while the referral to the police was "standard operating procedure," it was not required by law. However, in many jurisdictions, school officials are required by law to report students, they do so immediately and they assist in the prosecution of the student. In these instances, extension of the theory that the school officials were acting as an "agent of the prosecution for purposes of *Miranda*" may be appropriate.[26]

In the final analysis, the law must be changed through statutory fixes and litigation to ensure that students' rights are protected and to reduce the number of petty cases that schools refer to the juvenile justice system.

ENDNOTES FOR APPENDIX I

[1] 14 Del. Code § 4112(b).
[2] "Violent Felonies" include: murder, kidnapping, arson, burglary, rape and serious assaults. 11 DE Code § 4201.
[3] *Annual Report of School Climate and Student Conduct.* 2001. Delaware Department of Education.
[4] *Id.* Offensive touching incidents constituted 15 percent of all reported events.
[5] 11 DE Code § 601(a).
[6] *Annual Report of School Climate and Student Conduct.* 2001.
[7] Under Delaware penal code, a person is guilty of third degree assault when the person intentionally or recklessly causes physical injury to another person or with criminal negligence the person causes physical injury to another using a deadly weapon. It is a misdemeanor.
[8] *Annual Report of School Climate and Student Conduct.* 2001.
[9] *In re C.S.*, 79 S.W. 3d 619 (Tex. App. 2002).
[10] Tex. Educ. Code § 37.124 (2002).
[11] Tex. Educ. Code § 37.123 (2002).
[12] Despite the fact that there have been few such lawsuits, administrators claim that this is of significant concern to them. To protect administrators, many state legislatures have granted school personnel immunity from civil liability.
[13] *Miranda v. Arizona*, 384 U.S. 436 (1966), requires that law enforcement officers advise persons in their custody that they have the right to remain silent, the right to have an attorney present during questioning, and that anything said may be held against them in court. This protection stems from the Fifth Amendment to the U.S. Constitution, which provides a right against self-incrimination. See also, *In Re Gault*, 387 U.S. 1, 57 (1979).

[14] *New Jersey v. Biancamano*, 666 A.2d 199 (N.J. App. 1995); *Commonwealth v. Snyder*, 597 N.E.2d 1363 (S.Ct. Mass. 1992); *In re Harold S.*, 731 A.2d 265 (R.I. 1999); *In the Matter of V.P.*, 55 S.W.3d 25 (Tex. App. 2001).

[15] *See also, In the Matter of Appeal in Navajo Cty. Juv. Action No. JV91000058*, 901 P.2d 1247 (Ct. App. Ariz. 1995)(principal told student statement would be given to police, but Court held no *Miranda* warning required); *In re Corey L.*, 250 Cal. Rptr. 359 (Ct. App. CA 1988)(interrogation by principal is not to be equated with custodial interrogation by law enforcement officers); *In re E.M*, 634 N.E.2d 395(Ct. App. Ill. 1994)(disciplinary action taken by assistant principal found independent of action taken by police officer, therefore, no *Miranda* warning required); *Snyder*, 597 N.E.2d 1363 (Miranda warning not required where school administrators, following school policy, turned over student's marijuana to police and repeated student's confession to police); *Biancamano*, 666 A.2d 199 (fact that school administrators intended to give student's marijuana to police did not make them agents of police thus, no *Miranda* warning required).

[16] *State of Oklahoma v. M.A.L.*, 765 P.2d 787 (Okla. Crim. App. 1988).

[17] *In re Drolshagen*, 280 S.E.2d 927 (S.C. 1984) (citing *State v. Dolby*, 258 S.E. 2d 896,899 (1979)).

[18] The case the Kansas court relied upon *State v. Wolfer*, 693 P.2d 154 (1985), has since been overturned, in part. In *Wolfer*, the Washington Court of Appeals rejected the appeal of a juvenile similarly questioned by a school security officer. The *Wolfer* court held that because school security officer was not employed by a law enforcement agency, no *Miranda* warning was required. This reasoning was subsequently abandoned by the Washington Court of Appeals in *Washington v. Heritage*, 61 P.3d 11990 (2002). In that case, the court held that juveniles questioned by park security officers about drug possession were entitled to a *Miranda* warning. The court reasoned that *Wolfer* had improperly limited the scope of *Miranda*. Ultimately, the court held that because "the arrest and prosecution of the juveniles was at least a contingent purpose of the questioning, and one of the duties of the security guards was the investigation of criminal activities in the park," the actions of the guards required *Miranda* warnings. The court reasoned that where questioning is reasonably likely to elicit incriminating information and the suspect is in custody, *Miranda* is invoked.

[19] *In the Interest of R.H.*, 791 A.2d 331 (S.Ct. Pa. 2002).

[20] 948 P.2d 166 (Ct. App. Idaho 1997).

[21] *Id.*, 173.

[22] *See also, In re Jorge D.*, 43 P.3d 605 (Ct. App. Ariz. 2002) (student charged with aggravated assault after being questioned by police in principal's office about throwing a plastic bottle at bus driver); *In the Matter of Killitz*, 651 P.2d 1382 (Ct. App. Or. 1982) (reversal of lower court's conviction of a student summoned to principal's office and questioned by police officer where no *Miranda* warning given).

[23] *People v. Kerner*, 538 N.E.2d 1223 (Ct. App. Ill. 1989).

[24] *Kerner*, 538 N.E.2d at 1225. This reasoning was based upon the following findings: the DCFS employee interviewed defendant as part of his investigation for DCFS but was obligated by law to notify the State's attorney and police of the complaint; the investigator told defendant he would have to notify the police and prosecutor if he incriminated himself and was prepared to assist in the prosecution; defendant's written statement was taken on a police form; the officers arrested defendant immediately after the investigator's completed his interrogation; and the investigator exchanged information with police.

[25] *In re E.M.*, 634 N.E.2d 395, 399-400.

[26] *Kerner*, 538 N.E.2d at 1225.

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APPENDIX II

Data from Baltimore City Public Schools, Houston Independent School District and Palm Beach County Public Schools

Inconsistencies in the data

The data included in this report were from the school years 1999-2001. The data from Palm Beach County, Baltimore and Houston school districts were inconsistent in the way it was collected and maintained. Because of this, a standardized method of accounting and analysis was developed in order to make the information more accessible. Seven general categories of charges were developed. These categories are as follows: Simple Assault (SMPASLT), Other Crimes Against Persons (OCAP), Crimes Against Property (CAPROP), Drug (DRUG), Disorderly Conduct (DISCND), Weapons Violations (WPNVLTN), and Miscellaneous (MISC).

The charges included in each category is as follows:

1. Other Crimes Against Persons Category: Aggravated assaults, assaults with weapons, robberies, sex offenses, and any other offenses against persons besides simple assault
2. Crimes Against Property: Property destruction, thefts, larceny, burglaries, vandalism
3. Simple Assault: Assaults that do not include weapons or attacks on officials
4. Drug: Possession, use, and sale of drugs or drug paraphernalia
5. Disorderly Conduct: Disorderly conduct and disruption
6. Weapons Violations: Possession of weapons
7. Miscellaneous: Other incidents, including, trespassing, failure to obey, forgeries, kidnapping and other incidents that do not fall within other categories

MARYLAND:
Baltimore City Public Schools

Enrollment and arrest data from the district and ten schools were analyzed. The individual schools were chosen to provide a mix of racially diverse schools. Because Baltimore does not disaggregate arrests data by race, the racial demographics of each school was the only data that could be used to determine if any trends emerged. Thus, this data would only indicate whether schools with a higher proportion of students of color had more arrests as compared with other schools. The schools examined are as follows:

1. #40-Lake Clifton/ Eastern High School (**LCEHS**)
2. #56-Robert Poole Middle School (**RPMS**)
3. #70-Southern High (**SHS**)
4. #133-Paul Laurence Dunbar Middle (**PLDMS**)
5. #162-Diggs-Johnson Middle (**DJMS**)
6. #220-Morrell Park Elementary/Middle (**MPEMS**)
7. #241-Fallstaff Middle (**FMS**)
8. #407-Western High (**WHS**)
9. #410-Mergenthaler Vocational-Technical High (**MVTHS**)
10. #412-Southwestern High (**SWHS**)

To provide an accurate accounting of student arrests, adult arrests, arrests unrelated to school and arrests during the summer were eliminated.

In order to understand the types of incidents that result in arrests, the number of arrests as well as the number of times students were charged with specific incidents, were analyzed. In instances where students were charged with more than one incident, each individual charge was counted.

Thus, the number of incidents and arrests will not necessarily equal each other as one arrest could have resulted from multiple charges.

The categories of charges are as follows:

OCAP= Other Crimes Against Persons
Includes:
- Assault on Student **Armed**
- Assault on Staff **Armed**
- Assault on Police **Armed**
- Robbery of a Student & Staff
- Sex offense

CAPROP= Crimes Against Property
Includes:
- Breaking & entering
- Arson/malicious burning
- Theft
- Vandalism

DRUG= Drug
Includes:
- Marijuana
- Cocaine/heroin
- Other

DISCNDT= Disorderly Conduct

SMPASLT= Simple Assault
Includes:
- Assault on Student **Unarmed**
- Assault on Staff **Unarmed**
- Assault on Police **Unarmed**

WPNVLTN= Weapons Violation
Includes:
- Knife
- Firearm
- Other

MISC=Miscellaneous
Includes:
- Miscellaneous
- Trespass
- Bomb Threat

Each incident, similarly could have led to multiple forms of punishment. Thus, the data provided here tracks the various consequences for each arrest. This data in Table 4 focuses upon two of the most frequent charges in Baltimore: simple assault and disorderly conduct. These charges were also chosen because they are typically minor offenses and subjective. The disposition for students charged with other offenses are not provided.

The categories used to track the disposition of students arrested in Baltimore City Public Schools is as follows:

DISPREM= Disciplinary Removal

TRND= Transported to ND
- Released to Parent
- Forwarded to Court or other action

TRCBI= Transported to CBI

PRPSUSP= Proposed Suspension

RFDJJ= Referred to DJJ
- Suspension

The Baltimore City School Police Department indicated during interviews the nature of these dispositions.

Transferred to CBI (Central Booking):

1. All those transferred to Central Booking are arrested, and placed in jail if they are adults or if the crime charged is serious enough to be tried as an adult.
2. Persons are only sent to Central Booking if they are arrested and are an adults or if they have committed a crime serious enough to be tried as an adult.
3. Students are placed in jail.

Transferred to ND (Northern District):

1. This is juvenile detention. These students are sent to Northwestern, where they are placed in a holding cell until released to a parent or guardian. Youth are released only if based up factors such as the seriousness of the charge and prior record the police determine they do not need to be transferred to a secure facility.
2. In some cases students are sent to Boys Village or Samuel Hickey School, a juvenile detention facility for more serious offenses, where they are held for a set amount of time.

Referred to DJJ (Department of Juvenile Justice):

Students involved in minor incidents are referred to Juvenile Court for further action. DJJ determines whether to send the case to the state attorney for further action or to close the case and let school officials handle it.

Baltimore City Public Schools Data

Table 1. Average Enrollment 1999-2001

Race	Average Enrollment	Average %
BLACK	89203	**86.95%**
WHITE	11779	**11.48%**
HISPANIC	617	**0.60%**
OTHER	989	**0.96%**
TOTAL	102588	

Source: Baltimore City Public School System

Table 2. Number of Arrests 1999-2001

Year	1999	2000	2001
Arrests	2126	855	845

Source: Baltimore City School Police Department

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number '99	% '99	Number'00	% '00	Number'01	%01
SMPASLT	1026	50.77%	255	**21.79%**	157	14.97%
OCAP	81	4.01%	107	9.15%	98	9.34%
CAPROP	173	8.56%	117	10.00%	57	5.43%
DRUG	82	4.06%	96	8.21%	96	9.15%
WPNVLTN	227	**11.23%**	159	**13.59%**	186	**17.73%**
DISCND	315	**15.59%**	203	**17.35%**	186	**17.73%**
MISC	117	**5.79%**	233	**19.91%**	269	**25.64%**
TOTAL	2021		1170		1049	100.00%

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous

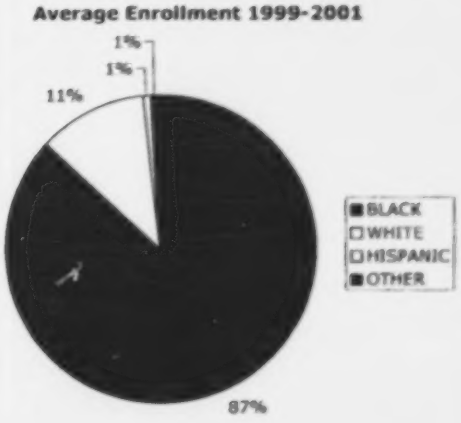
Source: Baltimore City School Police Department

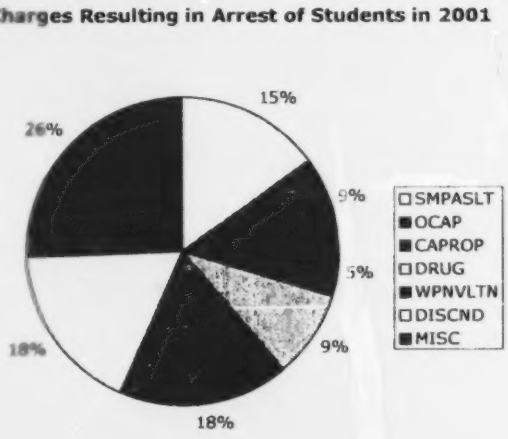
Table 4. Disposition of Students Arrested for Assaults or Disorderly Conduct in 2001

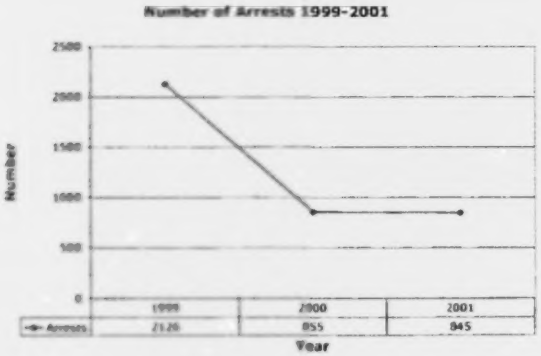
Disposition	Assault	Disorderly Conduct
Transported to ND	72	74
Disciplinary Removal	24	33
Released	25	18
Referred to DJJ	20	15
Proposed Suspension	43	44
Teen Court	6	3
Referred to CBI	2	1
Arrested	6	0
Referred to State's Attorney	6	14
Detained	2	2
Trial Held	0	0
DSS	1	1
Other	2	2
Total Offenses	96	95

Key: Transported to ND= Transported to Northern District; Referred to DJJ= Referred to Department of Juvenile Justice; Referred to CBI= Referred to Central Booking; DSS= Department of Social Services
Source: Baltimore City School Police Department

Data Graphs for Baltimore City Public Schools







School #40: Lake Clifton/Eastern High School (LCEHS)

Table 1. Average Enrollment 1999-2001

Race	Average Enrollment	Average %
BLACK	2313	**98.75%**
WHITE	24	**1.02%**
HISPANIC	2	**0.07%**
OTHER	4	**0.16%**
TOTAL	2343	

Source: Baltimore City Public School System

Table 2. Number of Arrests 1999-2001

Year	1999	2000	2001
Arrests	130	39	50

Source: Baltimore City School Police Department

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number '99	% '99	Number '00	% '00	Number '01	% '01
SMPASLT	40	**24.84%**	2	**4.17%**	8	**11.94%**
OCAP	0	0.00%	2	4.17%	1	1.49%
CAPROP	0	0.00%	1	2.08%	0	0.00%
DRUG	7	4.35%	10	20.83%	7	10.45%
WPNVLTN	22	13.66%	12	25.00%	6	8.96%
DISCND	40	24.84%	11	22.92%	9	13.43%
MISC	52	**32.30%**	10	**20.83%**	36	**53.73%**
TOTAL	**161**		**48**		**67**	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous

Source: Baltimore City School Police Department

Table 4. Disposition of Students Arrested for Assaults or Disorderly Conduct in 2001

Disposition	Assault	Disorderly Conduct
Transported to ND	3	4
Proposed Suspension	2	3
Total Offenses	3	4

Key: Transported to ND=Transported to Northern District

Source: Baltimore City School Police Department

School #56:Robert Poole Middle School (RPMS)

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	344	**60.74%**
WHITE	217	**38.38%**
HISPANIC	0	**0.06%**
OTHER	5	**0.82%**
TOTAL	566	

Source: Baltimore City Public School System

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	16	3	3

Source: Baltimore City School Police Department

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number '99	% 99	Number '00	% '00	Number '01	% '01
SMPASLT	5	33.33%	1	25.00%	0	0.00%
OCAP	1	6.67%	0	0.00%	0	0.00%
CAPROP	3	20.00%	0	0.00%	1	33.33%
DRUG	0	0.00%	0	0.00%	0	0.00%
WPNVLTN	1	**6.67%**	1	**25.00%**	2	**66.67%**
DISCND	1	6.67%	0	0.00%	0	0.00%
MISC	4	26.67%	2	50.00%	0	0.00%
TOTAL	15		4		3	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous

Source: Baltimore City School Police Department

School #70: Southern High School (SHS)

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	1033	**78.09%**
WHITE	282	**21.31%**
HISPANIC	1	**0.08%**
OTHER	7	**0.53%**
TOTAL	1323	

Source: Baltimore City Public School System

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	102	87	37

Source: Baltimore City School Police Department

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number '99	% '99	Number '00	% '00	Number '01	% '01
SMPASLT	35	**26.72%**	21	**19.63%**	13	**26.53%**
OCAP	11	**8.40%**	17	**15.89%**	7	**14.29%**
CAPROP	8	6.11%	8	7.48%	1	2.04%
DRUG	5	**3.82%**	9	**8.41%**	11	**22.45%**
WPNVLTN	10	7.63%	14	13.08%	3	6.12%
DISCND	40	30.53%	32	29.91%	3	6.12%
MISC	22	**16.79%**	6	**5.61%**	11	**22.45%**
TOTAL	131		107		49	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous

Source: Baltimore City School Police Department

Table 4. Disposition of Students Arrested for Assaults or Disorderly Conduct in 2001

Disposition	Assault	Disorderly Conduct
Transported to ND	7	1
Disciplinary Removal	3	0
Released	1	0
Referred to DJJ	0	1
Proposed Suspension	5	1
Referred to CBI	1	0
Arrested	1	0
DSS	1	0
Total Offenses	8	1

Key: Transported to ND=Transported to Northern District

Source: Baltimore City School Police Department

School #133: Paul Laurence Dunbar Middle (PLDMS)

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	610	**99.78%**
WHITE	1	**0.11%**
HISPANIC	0	**0.00%**
OTHER	1	**0.11%**
TOTAL	611	

Source: Baltimore City Public School System

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number '99	% '99	Number '00	% '00	Number '01	% '01
SMPASLT	15	75.00%	0	0.00%	0	0.00%
OCAP	0	0.00%	1	100.00%	0	0.00%
CAPROP	4	20.00%	0	0.00%	0	0.00%
DRUG	0	0.00%	0	0.00%	0	0.00%
WPNVLTN	0	0.00%	0	0.00%	0	0.00%
DISCND	1	5.00%	0	0.00%	0	0.00%
MISC	0	0.00%	0	0.00%	0	0.00%
TOTAL	20		1		0	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous
Source: Baltimore City School Police Department

School #241:Fallstaff Middle School (FMS)

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	620	**97.45%**
WHITE	10	**1.57%**
HISPANIC	4	**0.59%**
OTHER	2	**0.39%**
TOTAL	636	

Source: Baltimore City Public School System

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	45	16	19

Source: Baltimore City School Police Department

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number '99	% '99	Number '00	% '00	Number '01	% '01
SMPASLT	30	60.00%	3	16.67%	4	22.22%
OCAP	1	2.00%	2	11.11%	1	5.56%
CAPROP	4	8.00%	0	0.00%	0	0.00%
DRUG	0	0.00%	0	0.00%	0	0.00%
WPNVLTN	4	**8.00%**	7	**38.89%**	5	**27.78%**
DISCND	2	**4.00%**	1	**5.56%**	1	**5.56%**
MISC	9	**18.00%**	5	**27.78%**	7	**38.89%**
TOTAL	50		18		18	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous
Source: Baltimore City School Police Department

Table 4. Disposition of Students Arrested for Assaults or Disorderly Conduct in 2001

Disposition	Assault	Disorderly Conduct
Disciplinary Removal	1	0
Released	4	1
Proposed Suspension	3	1
Teen Court	4	1
Total Offenses	4	1

Key: Transported to ND=Transported to Northern District
Source: Baltimore City School Police Department

School #407:Western High School (WHS)

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	914	**79.16%**
WHITE	210	**18.19%**
HISPANIC	9	**0.81%**
OTHER	21	**1.85%**
TOTAL	1155	

Source: Baltimore City Public School System

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	1	0	2

Source: Baltimore City School Police Department

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number '99	% '99	Number '00	% '00	Number '01	% '01
SMPASLT	0	0.00%	0	0%	0	0.00%
OCAP	0	0.00%	0	0%	0	0.00%
CAPROP	0	0.00%	0	0%	0	0.00%
DRUG	0	0.00%	0	0%	0	0.00%
WPNVLTN	1	100.00%	0	0%	1	50.00%
DISCND	0	0.00%	0	0%	1	50.00%
MISC	0	0.00%	0	0%	0	0.00%
TOTAL	1		0		2	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous
Source: Baltimore City School Police Department

Table 4. Disposition of Students Arrested for Assaults or Disorderly Conduct in 2001

Disposition	Disorderly Conduct
Disciplinary Removal	1
Released	1
Referred to DJJ	1
Total Offenses	1

Key: Transported to ND=Transported to Northern District
Source: Baltimore City School Police Department

School #410: Mergenthaler Vocational-Technical High (MVTHS)

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLK	1285	**83.91%**
WHT	234	**15.30%**
HISP	5	**0.35%**
OTHER	7	**0.44%**
TOTAL	1531	

Source: Baltimore City Public School System

Table 2. Number of Arrests from 1999-2001

Arrests	1999	2000	2001
Year	16	18	40

Source: Baltimore City School Police Department

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number '99	% '99	Number '00	% '00	Number '01	% '01
SMPASLT	4	23.53%	4	16.67%	6	10.91%
OCAP	4	23.53%	2	8.33%	3	5.45%
CAPROP	0	0.00%	1	4.17%	2	3.64%
DRUG	1	5.88%	1	4.17%	5	9.09%
WPNVLTN	1	**5.88%**	0	**0.00%**	13	**23.64%**
DISCND	5	29.41%	7	29.17%	8	14.55%
MISC	2	**11.76%**	9	**37.50%**	18	**32.73%**
TOTAL	17		24		55	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous
Source: Baltimore City School Police Department

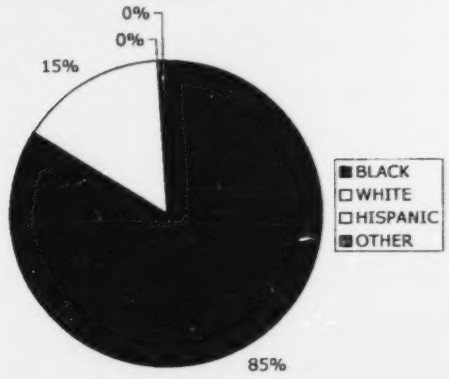
Table 4. Disposition of Students Arrested for Assaults or Disorderly Conduct in 2001

Disposition	Assault	Disorderly Conduct
Transported to ND	1	1
Disciplinary Removal	1	2
Released	0	1
Referred to DJJ	0	1
Total Offenses	1	2

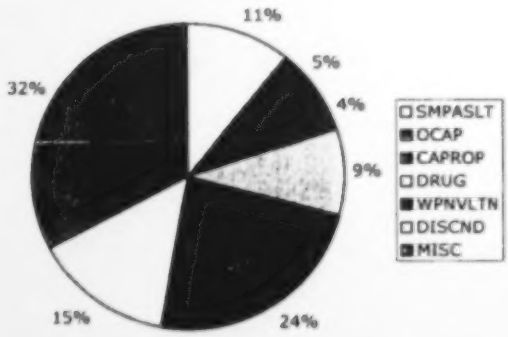
Key: Transported to ND=Transported to Northern District
Source: Baltimore City School Police Department

Data Graphs for School #410: Mergenthaler Vocational-Technical High School (MVTHS)

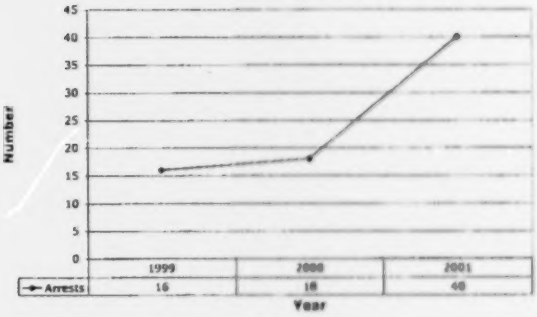
Average Enrollment from 1999-2001



Charges Resulting in Arrest of Students in 2001



Number of Arrests 1999-2001



School #412: Southwestern High School (SWHS)

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	1399	**86.66%**
WHITE	200	**12.37%**
HISPANIC	4	**0.25%**
OTHER	12	**0.72%**
TOTAL	1615	

Source: Baltimore City Public School System

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	60	44	66

Source: Baltimore City School Police Department

Table 3. Charges Resulting in Arrest of Students 1999-2001

Incident	Number %	% '99	Number '00	% '00	Number '01	% '01
SMPASLT	33	**30.84%**	6	**12.00%**	10	**14.93%**
OCAP	8	7.48%	6	12.00%	14	20.90%
CAPROP	2	1.87%	6	12.00%	2	2.99%
DRUG	2	1.87%	1	2.00%	6	8.96%
WPNVLTN	11	10.28%	6	12.00%	5	7.46%
DISCND	21	**19.63%**	20	**40.00%**	30	**44.78%**
MISC	30	28.04%	5	10.00%	0	0.00%
TOTAL	107		50		67	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disorderly Conduct; MISC=Miscellaneous

Source: Baltimore City School Police Department

Table 4. Disposition of Students Arrested for Assaults or Disorderly Conduct in 2001

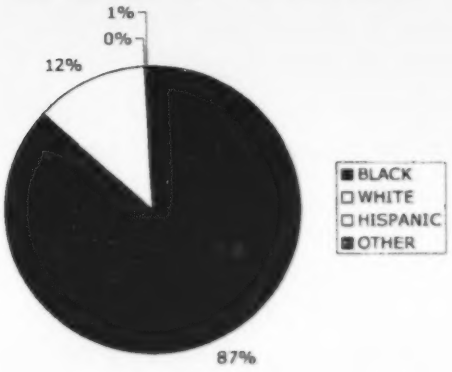
Disposition	Assault	Disorderly Conduct
Transported to ND	4	22
Disciplinary Removal	3	12
Released	0	1
Arrested	1	0
Referred to State's Attorney	0	8
Total Offenses	5	22

Key: Transported to ND=Transported to Northern District

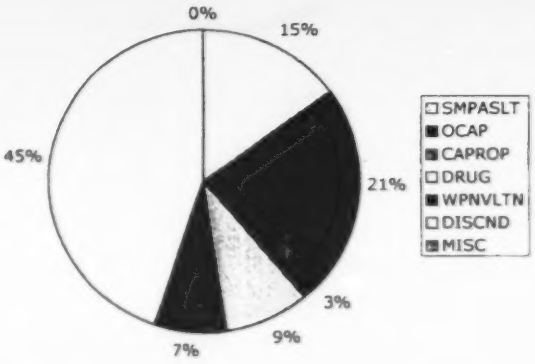
Source: Baltimore City School Police Department

Data Graphs for School #412: Southwestern High School (SWHS)

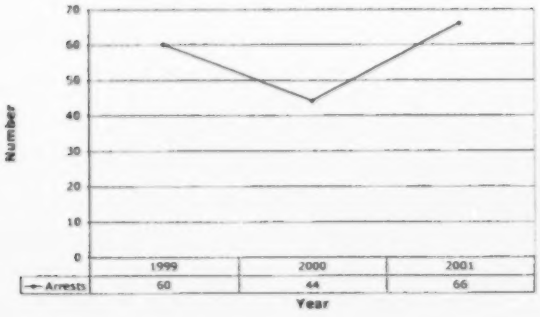
Average Enrollment from 1999-2001



Charges Resulting in Arrest of Students in 2001



Number of Arrests from 1999-2001



FLORIDA:
Palm Beach County

In addition to analyzing data from the entire Palm Beach County School District, enrollment and arrest data from a sample group of twelve schools were analyzed. Schools were chosen based on their racial demographics with the goal of examining a group of schools that were racially diverse from each other. Arrest data was disaggregated by race, thus permitting an examination of any correlations between the racial demographics of schools and arrests in each school. The individual schools examined are as follows:

1. Lantana Middle School
2. Carver Middle School
3. Boca Raton Middle School
4. Boca Raton High School
5. Santaluces High School
6. Indian Ridge High School
7. Omni Middle School
8. Jupiter High School
9. Lake Worth High School
10. Forest Hill High School
11. Pahokee Middle/Sr. High School
12. Glades Central High School

Arrest data was also disaggregated by incident. Adult arrests were eliminated from total arrests; however, disaggregated race data was not available for adults versus juveniles. For example, the data for total arrests in 2001 was presented as follows:

Juveniles	Adults	Race			
Total	Total	White	Black	Indian	Oriental
1287	139	492	927	2	5

However, individual school arrest data indicated that no whites, Latinos, Asians or Native Americans were arrested. There were some arrests that were categorized as "unknown." The "unknown" arrest category was used if the race of the arrested person is not noted on the crime report by the arresting officer or if the arresting officer lists them as an "Unknown" race student. For the purposes of maintaining consistency in data for all of the states studied, all arrests listed in the "Unknown" category were placed in the "other" category.

OCAP= Other Crimes Against Persons
Includes:
- Battery SBE
- Battery LEO
- AGG Battery
- Robbery of a Student & Staff
- Sex offense/Sex Battery
- Resisting with

CAPROP= Crimes Against Property
Includes:
- Robbery
- Criminal Mischief
- Arson/malicious burning
- Theft/Larceny
- Vandalism
- Fire Extingusiher

DRUG= Drug
Includes:
- All Possessions
- All Drugs
- Other

DISCNDT= Disruption

SMPASLT= Simple Assault, Battery
Includes:
- Assault on Student **Unarmed**
- Assault on Staff **Unarmed**
- Assault on Police **Unarmed**
- **Affray**

WPNVLTN= Weapons Violation
Includes:
- Knife
- Firearm
- Other/CCW

MISC=Miscellaneous
Includes:
- Miscellaneous
- Bribery/Forgery
- Fail to Appear
- Throwing Missile
- Lewdness
- Warrant Arrest/Community Control/VOP
- Resist w/o
- Obstruct
- Trespass
- Bomb Threat
- False Imprisonment
- Intimidation
- Child Abuse

The criminal incidents resulting in arrests in Palm Beach County Public Schools are as follows: The following explanation of crimes were provided by the Palm Beach County School Police Department:

1. SBE: School Board Employee
2. LEO: Law Enforcement Officer
3. AGG: Aggravated, normally means with a weapon
4. Battery: Without an additional code usually indicates that there has been a fight without weapons
5. Fire Extinguish: Tampering with fire extinguisher
6. Lewdness: An offense of a sexual nature
7. Throwing Missile: Throwing any object that can be considered harmful to others
8. Warrant Arrest: The student had a warrant for their arrest
9. Drug equip & Possession Paraphenalia: Considered the same, student possesses equipment to use drugs, but may not have the drugs on them
10. False Imprisonment: Preventing someone from leaving a specific area, e.g. locking the doors to a classroom and holding the doors so that someone could not leave
11. Resist w/o: Resisting arrest without violence
12. Felony Battery: Aggravated Battery
13. Community Control: Similar to a warrant or person has violated some part of their community control order
14. Fail to Appear: Fail to appear in court
15. Obstruct: Preventing the arrest of yourself or someone else verbally or physically
16. Criminal Mischief: Property damage, graffiti, etc.
17. Culpable Negligence: Causing harm to someone else due to your lack of precaution
18. VOP: Violation of Probation
19. Child Abuse: Most likely abuse of a child by an adult
20. Tamp w/VIC: Tampering with a victim, e.g. threatening someone who is going to press charges against you
21. Tamp w/WIT: Tampering with witness, e.g. tampering with someone who can testify against you

Palm Beach County School District Data

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	44397	29.58%
WHITE	74538	49.67%
HISPANIC	24557	16.36%
OTHER	6589	4.39%
TOTAL	150081	100.00%

Source: *Profiles of Florida School Districts*, 1999-2001, Florida Department of Education

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	1296	1267	1426

Source: *Uniform Crime Reports*, Florida Department of Law Enforcement

Table 3. Average Arrest by Race from 1999-2001

Race	Average Arrest %
WHITE	35.67%
BLACK	63.98%
OTHER	0.24%

Source: *Uniform Crime Reports*, Florida Department of Law Enforcement

Table 4. Offenses by Race of Persons Arrested in 2001

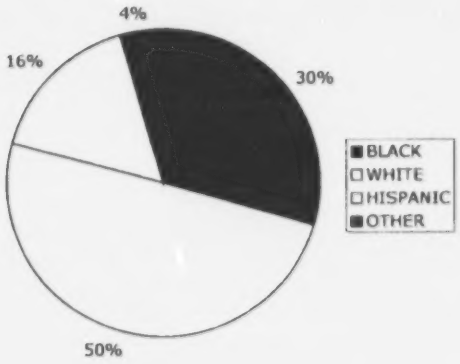
Incident	White	% White	Black	% Black	Other	% Other	Total	Total %
SMPASLT	112	24.94%	334	74.39%	3	0.67%	449	31.49%
OCAP	42	19.44%	174	80.56%	0	0.00%	216	15.15%
CAPROP	54	35.06%	99	64.29%	1	0.65%	154	10.80%
DRUG	164	74.55%	54	24.55%	2	0.91%	220	15.43%
WPNVLTN	0	0.00%	0	0.00%	0	0.00%	0	0.00%
DISCND	0	0.00%	0	0.00%	0	0.00%	0	0.00%
MISC	120	31.01%	266	68.73%	1	0.26%	387	27.14%
TOTAL	492	34.50%	927	65.01%	7	0.49%	**1426**	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

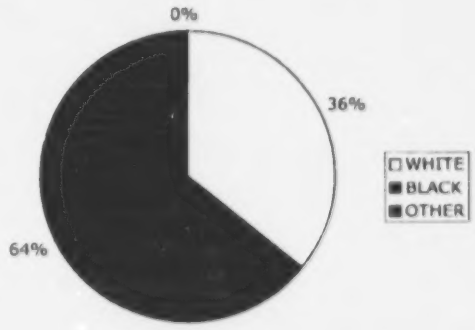
Source: *Uniform Crime Reports*, Florida Department of Law Enforcement

Data Graphs for Palm Beach County School District

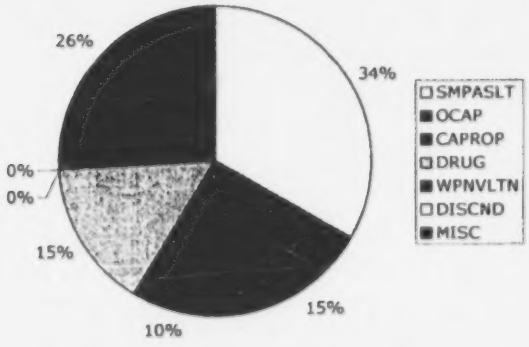
Average Enrollment from 1999-2001



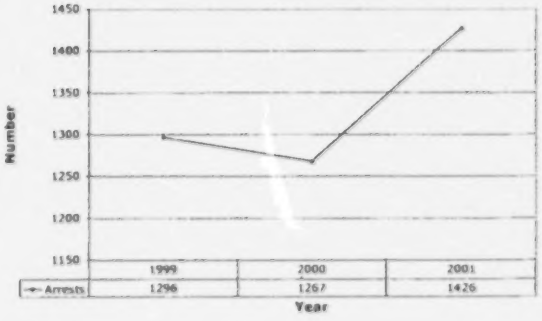
Average Arrests by Race from 1999-2001



Charges Resulting in Arrests 2001



Number of Arrests from 1999-2001



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Boca Raton Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	335	**24.60%**
WHITE	751	**55.13%**
HISPANIC	213	**15.62%**
OTHER	63	**4.65%**
TOTAL	1362	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	16	40	20

Source: The School District of Palm Beach County School Police Department

Table 3. Arrests by Race from 1999-2001

Race	1999	2000	2001
% Black	43.75%	52.50%	45.00%
% Other	56.25%	47.50%	55.00%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0.00%	2	100.00%	0	0.00%	2
OCAP	0	0.00%	2	66.67%	1	33.33%	3
CAPROP	0	0.00%	0	0.00%	3	100.00%	3
DRUG	0	0.00%	0	0.00%	2	100.00%	2
WPNVLTN	0	0.00%	0	0.00%	1	100.00%	1
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	3	60.00%	2	40.00%	5
Total	0		7	**43.75%**	9	**56.25%**	**16**
2000							
SMPASLT	0	0.00%	1	50.00%	1	50.00%	2
OCAP	0	0.00%	11	73.33%	4	26.67%	15
CAPROP	0	0.00%	5	71.43%	2	28.57%	7
DRUG	0	0.00%	0	0.00%	0	0.00%	0
WPNVLTN	0	0.00%	2	33.33%	4	66.67%	6
DISCND	0	0.00%	0	0.00%	1	0.00%	1
MISC	0	0.00%	2	22.22%	7	77.78%	9
Total			21	**52.50%**	19	**47.50%**	**40**

2001							
SMPASLT	0	0.00%	3	75.00%	1	25.00%	4
OCAP	0	0.00%	1	25.00%	3	75.00%	4
CAPROP	0	0.00%	0	0.00%	1	100.00%	1
DRUG	0	0.00%	3	0.00%	1	0.00%	4
WPNVLTN	0	0.00%	0	0.00%	1	100.00%	1
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	2	33.33%	4	66.67%	6
2001 Total			9	**45.00%**	11	**55.00%**	**20**

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption, MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

Boca Raton High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	437	**20.19%**
WHITE	1332	**61.58%**
HISPANIC	324	**14.98%**
OTHER	70	**3.25%**
TOTAL	2163	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	15	10	11

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Race	1999	2000	2001
% of Black	60.00%	60.00%	45.45%
% of Other	40.00%	40.00%	54.55%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

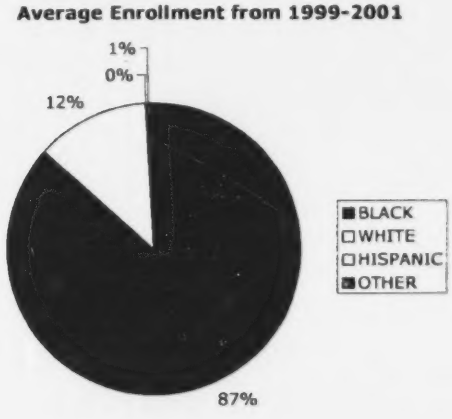
1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0.00%	4	57.14%	3	42.86%	7
OCAP	0	0.00%	5	100.00%	0	0.00%	5
CAPROP	0	0.00%	0	0.00%	1	100.00%	1
DRUG	0	0.00%	0	0.00%	2	100.00%	2
WPNVLTN	0	0.00%	0	0.00%	0	0.00%	0
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	0	0.00%	0	0.00%	0
TOTAL	0		9	**60.00%**	6	**40.00%**	**15**

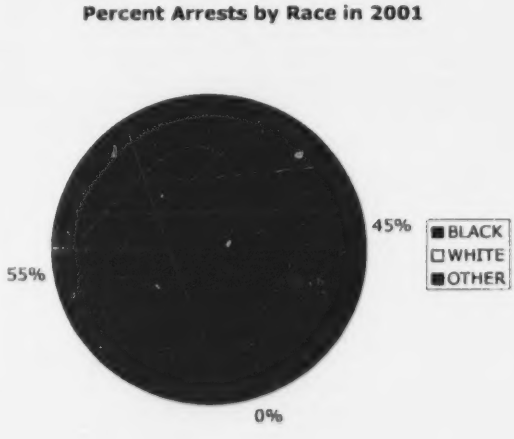
2000							
SMPASLT	0	0.00%	3	100.00%	0	0.00%	3
OCAP	0	0.00%	2	50.00%	2	50.00%	4
CAPROP	0	0.00%	0	0.00%	0	0.00%	0
DRUG	0	0.00%	1	50.00%	1	50.00%	2
WPNVLTN	0	0.00%	0	0.00%	0	0.00%	0
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	0	0.00%	1	100.00%	1
TOTAL	0	0.00%	6	**60.00%**	4	**40.00%**	**10**
2001							
SMPASLT	0	0.00%	2	0.00%	0	0.00%	2
OCAP	0	0.00%	1	50.00%	1	50.00%	2
CAPROP	0	0.00%	2	100.00%	0	0.00%	2
DRUG	0	0.00%	0	0.00%	4	100.00%	4
WPNVLTN	0	0.00%	0	0.00%	1	100.00%	1
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	0	0.00%	0	0.00%	0
TOTAL	0	0.00%	5	**45.45%**	6	**54.55%**	**11**

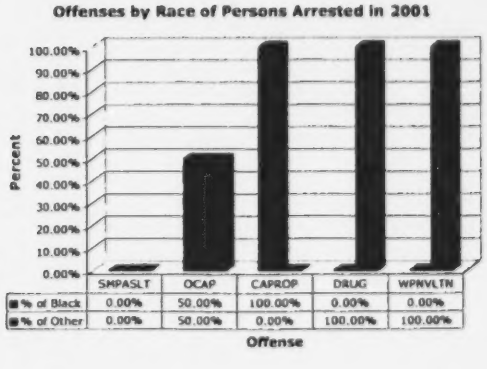
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

Data Graphs for Boca Raton High School







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Carver Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	900	**49.51%**
WHITE	628	**34.51%**
HISPANIC	236	**12.99%**
OTHER	54	**2.99%**
TOTAL	1819	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	25	23	5

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Race	1999	2000	2001
% of Black	60.00%	78.26%	60.00%
% of Other	40.00%	21.74%	40.00%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

1999							
Incident	**White**	**% of White**	**Black**	**% of Black**	**Other**	**% of Other**	**TOTAL**
SMPASLT	0	0.00%	1	20.00%	4	80.00%	5
OCAP	0	0.00%	4	50.00%	4	50.00%	8
CAPROP	0	0.00%	2	100.00%	0	0.00%	2
DRUG	0	0.00%	0	0.00%	0	0.00%	0
WPNVLTN	0	0.00%	6	85.71%	1	14.29%	7
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	2	66.67%	1	33.33%	3
TOTAL	0		15	**60.00%**	10	**40.00%**	**25**
2000							
SMPASLT	0	0.00%	8	88.89%	1	11.11%	9
OCAP	0	0.00%	7	77.78%	2	22.22%	9
CAPROP	0	0.00%	0	0.00%	0	0.00%	0
DRUG	0	0.00%	0	0.00%	1	100.00%	1
WPNVLTN	0	0.00%	2	66.67%	1	33.33%	3
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	1	100.00%	0	0.00%	1
TOTAL	0		18	**78.26%**	5	**21.74%**	**23**

2001							
SMPASLT	0	0.00%	1	0.00%	1	0.00%	2
OCAP	0	0.00%	1	100.00%	0	0.00%	1
CAPROP	0	0.00%	1	100.00%	0	0.00%	1
DRUG	0	0.00%	0	0.00%	1	100.00%	1
WPNVLTN	0	0.00%	0	0.00%	0	0.00%	0
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	0	0.00%	0	0.00%	0
TOTAL	0		3	**60.00%**	2	**40.00%**	5

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

Forest Hill High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	449	**23.03%**
WHITE	625	**32.05%**
HISPANIC	834	**42.78%**
OTHER	42	**2.14%**
TOTAL	1949	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	28	34	47

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	1999	2000	2001
% of Black	67.86%	50.00%	61.70%
% of Other	32.14%	50.00%	38.30%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

1999								
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**Total**	**Total %**
SMPASLT	0	0.00%	7	70.00%	3	30.00%	10	35.71%
OCAP	0	0.00%	1	50.00%	1	50.00%	2	7.14%
CAPROP	0	0.00%	2	100.00%	0	0.00%	2	7.14%
DRUG	0	0.00%	2	40.00%	3	60.00%	5	17.86%
WPNVLTN	0	0.00%	3	100.00%	0	0.00%	3	10.71%
DISCND	0	0.00%	0	0.00%	0	0.00%	0	0.00%
MISC	0	0.00%	4	66.67%	2	33.33%	6	21.43%
TOTAL	0		19	**67.86%**	9	**32.14%**	**28**	

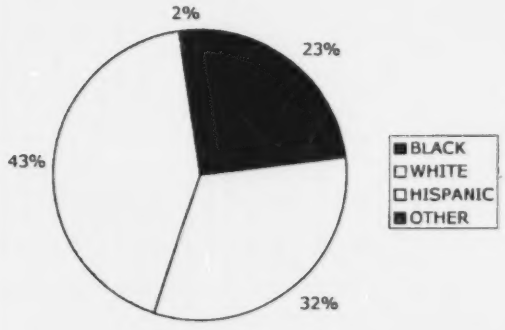
2000								
SMPASLT	0	0.00%	8	88.89%	1	0.00%	9	26.47%
OCAP	0	0.00%	3	42.86%	4	57.14%	7	20.59%
CAPROP	0	0.00%	3	75.00%	1	25.00%	4	11.76%
DRUG	0	0.00%	0	0.00%	6	100.00%	6	17.65%
WPNVLTN	0	0.00%	0	0.00%	2	100.00%	2	5.88%
DISCND	0	0.00%	0	0.00%	1	100.00%	1	2.94%
MISC	0	0.00%	3	60.00%	2	40.00%	5	14.71%
TOTAL	0		17	**50.00%**	17	**50.00%**	**34**	
2001								
SMPASLT	0	0.00%	8	66.67%	4	33.33%	12	25.53%
OCAP	0	0.00%	8	88.89%	1	11.11%	9	19.15%
CAPROP	0	0.00%	2	40.00%	3	60.00%	5	10.64%
DRUG	0	0.00%	4	57.14%	3	42.86%	7	14.89%
WPNVLTN	0	0.00%	1	50.00%	1	50.00%	2	4.26%
DISCND	0	0.00%	2	66.67%	1	33.33%	3	6.38%
MISC	0	0.00%	4	44.44%	5	55.56%	9	19.15%
TOTAL	0		29	**61.70%**	18	**38.30%**	**47**	

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

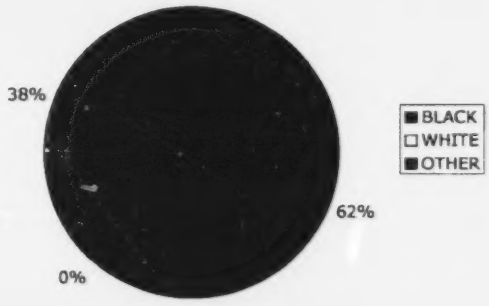
Source: The School District of Palm Beach County, Florida School Police Department

Data Graphs for Forest Hill High School

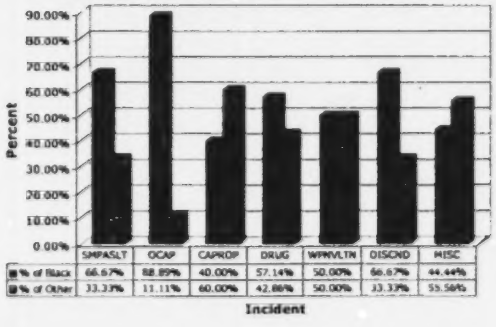
Average Enrollment 1999-2001



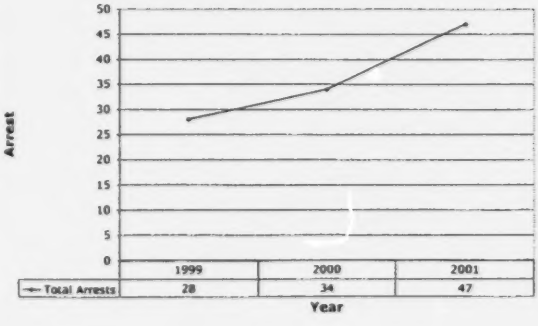
Arrests by Race in 2001



Offenses by Race of Persons Arrested in 2001



Number of Arrests in 1999-2001



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Glades Central High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	1272	**78.18%**
WHITE	21	**1.31%**
HISPANIC	327	**20.12%**
OTHER	6	**0.39%**
TOTAL	1627	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	67	62	46

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	1999	2000	2001
% of Black	89.55%	95.16%	91.30%
% of Other	10.45%	4.84%	8.70%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0.00%	13	92.86%	1	7.14%	14
OCAP	0	0.00%	15	78.95%	4	21.05%	19
CAPROP	0	0.00%	14	100.00%	0	0.00%	14
DRUG	0	0.00%	2	100.00%	0	0.00%	2
WPNVLTN	0	0.00%	2	100.00%	0	0.00%	2
DISCND	0	0.00%	9	90.00%	1	10.00%	10
MISC	0	0.00%	5	83.33%	1	16.67%	6
TOTAL	0		60	**89.55%**	7	**10.45%**	**67**
2000							
SMPASLT	0	0.00%	7	100.00%	0	0.00%	7
OCAP	0	0.00%	18	94.74%	1	5.26%	19
CAPROP	0	0.00%	9	90.00%	1	10.00%	10
DRUG	0	0.00%	1	100.00%	0	0.00%	1
WPNVLTN	0	0.00%	6	100.00%	0	0.00%	6
DISCND	0	0.00%	8	88.89%	1	11.11%	9
MISC	0	0.00%	10	100.00%	0	0.00%	10
TOTAL	0		59	**95.16%**	3	**4.84%**	**62**

2001							
SMPASLT	0	0.00%	13	100.00%	0	0.00%	13
OCAP	0	0.00%	8	72.73%	3	27.27%	11
CAPROP	0	0.00%	1	100.00%	0	0.00%	1
DRUG	0	0.00%	1	100.00%	0	0.00%	1
WPNVLTN	0	0.00%	3	100.00%	0	0.00%	3
DISCND	0	0.00%	9	100.00%	0	0.00%	9
MISC	0	0.00%	7	87.50%	1	12.50%	8
TOTAL	0		42	**91.30%**	4	**8.70%**	**46**

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

Indian Ridge High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	68	**39.73%**
WHITE	84	**48.64%**
HISPANIC	16	**9.50%**
OTHER	4	**2.13%**
TOTAL	172	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	45	35	23

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	**1999**	**2000**	**2001**
% of Black	71.11%	77.14%	60.87%
% of Other	28.89%	22.86%	39.13%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

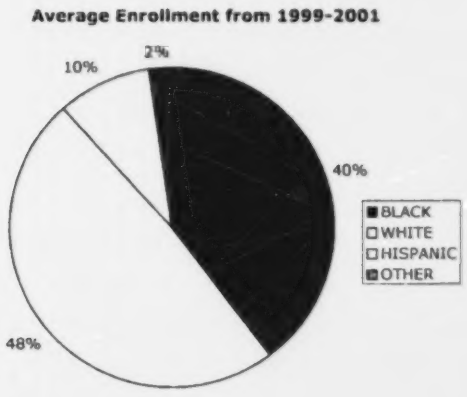
1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0.00%	2	100.00%	0	0.00%	2
OCAP	0	0.00%	22	78.57%	6	21.43%	28
CAPROP	0	0.00%	3	50.00%	3	50.00%	6
DRUG	0	0.00%	2	50.00%	2	50.00%	4
WPNVLTN	0	0.00%	2	50.00%	2	50.00%	4
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	1	100.00%	0	0.00%	1
TOTAL	0		32	**71.11%**	13	**28.89%**	**45**

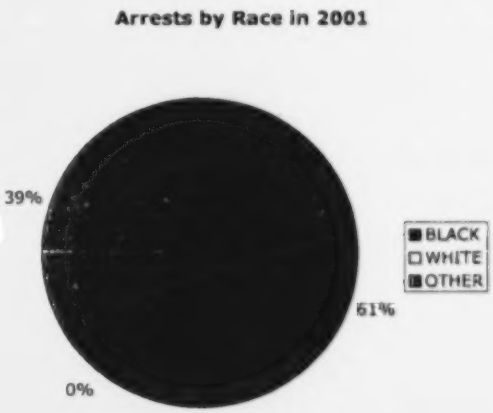
2000							
SMPASLT	0	0.00%	3	100.00%	0	0.00%	3
OCAP	0	0.00%	18	81.82%	4	18.18%	22
CAPROP	0	0.00%	3	100.00%	0	0.00%	3
DRUG	0	0.00%	0	0.00%	4	100.00%	4
WPNVLTN	0	0.00%	0	0.00%	0	0.00%	0
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	3	100.00%	0	0.00%	3
TOTAL	0		27	**77.14%**	8	**22.86%**	**35**
2001							
SMPASLT	0	0.00%	0	0.00%	1	100.00%	1
OCAP	0	0.00%	9	81.82%	2	18.18%	11
CAPROP	0	0.00%	2	40.00%	3	60.00%	5
DRUG	0	0.00%	0	0.00%	0	0.00%	0
WPNVLTN	0	0.00%	0	0.00%	2	100.00%	2
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	3	75.00%	1	25.00%	4
TOTAL	0		14	**60.87%**	9	**39.13%**	**23**

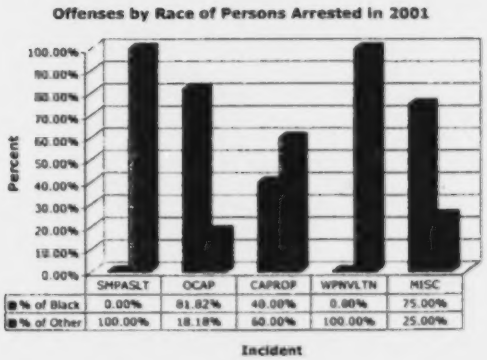
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

Data Graphs for Indian Ridge High School







Jupiter High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	98	**5.31%**
WHITE	1625	**87.75%**
HISPANIC	94	**5.06%**
OTHER	35	**1.89%**
TOTAL	1852	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	18	18	14

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	1999	2000	2001
% of Black	22.22%	5.56%	7.14%
% of Other	77.78%	94.44%	92.86%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0.00%	0	0.00%	1	100.00%	1
OCAP	0	0.00%	2	28.57%	5	71.43%	7
CAPROP	0	0.00%	2	100.00%	0	0.00%	2
DRUG	0	0.00%	0	0.00%	6	100.00%	6
WPNVLTN	0	0.00%	0	0.00%	1	100.00%	1
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	0	0.00%	1	100.00%	1
TOTAL	0		4	**22.22%**	14	**77.78%**	**18**
2000							
SMPASLT	0	0.00%	0	0.00%	0	0.00%	0
OCAP	0	0.00%	0	0.00%	6	100.00%	6
CAPROP	0	0.00%	0	0.00%	0	0.00%	0
DRUG	0	0.00%	0	0.00%	8	100.00%	8
WPNVLTN	0	0.00%	0	0.00%	1	100.00%	1
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	1	33.33%	2	66.67%	3
TOTAL	0	0.00%	1	**5.56%**	17	**94.44%**	**18**

2001							
SMPASLT	0	0.00%	0	0.00%	1	100.00%	1
OCAP	0	0.00%	1	50.00%	1	50.00%	2
CAPROP	0	0.00%	0	0.00%	3	100.00%	3
DRUG	0	0.00%	0	0.00%	7	100.00%	7
WPNVLTN	0	0.00%	0	0.00%	0	0.00%	0
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	0	0.00%	1	100.00%	1
TOTAL	0		1	**7.14%**	13	**92.86%**	**14**

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

Lake Worth High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	1255	**36.55%**
WHITE	1194	**34.76%**
HISPANIC	868	**25.26%**
OTHER	118	**3.43%**
TOTAL	3434	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	22	23	37

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	1999	2000	2001
% of Black	54.55%	47.83%	32.43%
% of Other	45.45%	52.17%	67.57%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

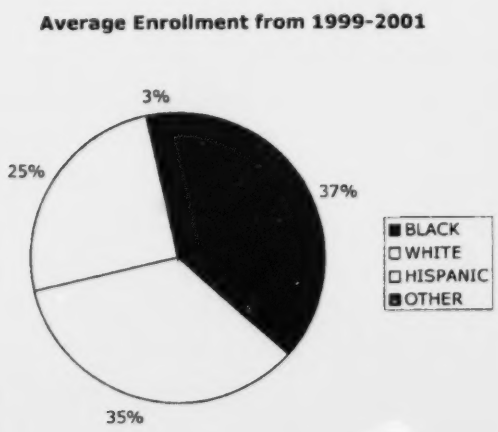
1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0.00%	0	0.00%	0	0.00%	0
OCAP	0	0.00%	4	80.00%	1	20.00%	5
CAPROP	0	0.00%	2	100.00%	0	0.00%	2
DRUG	0	0.00%	3	42.86%	4	57.14%	7
WPNVLTN	0	0.00%	1	33.33%	2	66.67%	3
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	2	40.00%	3	60.00%	5
TOTAL	0		12	**54.55%**	10	**45.45%**	**22**

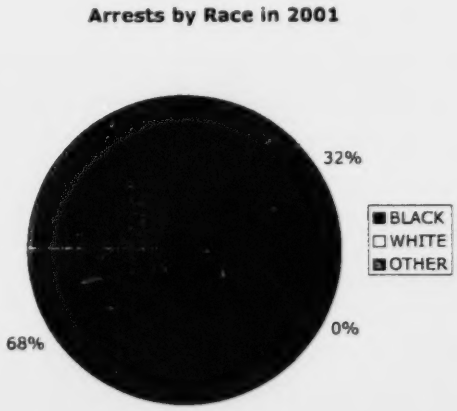
2000							
SMPASLT	0	0.00%	0	0.00%	0	0.00%	0
OCAP	0	0.00%	4	44.44%	5	55.56%	9
CAPROP	0	0.00%	1	50.00%	1	50.00%	2
DRUG	0	0.00%	2	100.00%	0	0.00%	2
WPNVLTN	0	0.00%	0	0.00%	2	100.00%	2
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	4	50.00%	4	50.00%	8
TOTAL	0		11	**47.83%**	12	**52.17%**	**23**
2001							
SMPASLT	0	0.00%	0	0.00%	0	0.00%	0
OCAP	0	0.00%	4	66.67%	2	33.33%	6
CAPROP	0	0.00%	2	33.33%	4	66.67%	6
DRUG	0	0.00%	0	0.00%	5	100.00%	5
WPNVLTN	0	0.00%	1	50.00%	1	50.00%	2
DISCND	0	0.00%	2	40.00%	3	60.00%	5
MISC	0	0.00%	3	23.08%	10	76.92%	13
TOTAL	0		12	**32.43%**	25	**67.57%**	**37**

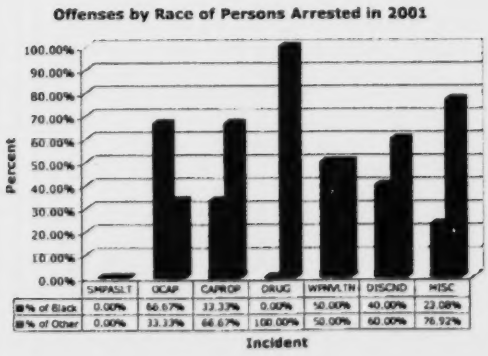
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

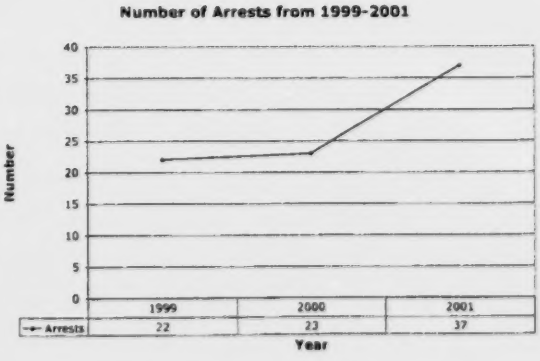
Source: The School District of Palm Beach County, Florida School Police Department

Data Graphs for Lake Worth High School









Lantana Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	281	**27.62%**
WHITE	477	**46.92%**
HISPANIC	232	**22.80%**
OTHER	27	**2.65%**
TOTAL	1017	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	4	19	3

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	1999	2000	2001
% of Black	50.00%	31.58%	66.67%
% of Other	50.00%	68.42%	33.33%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0	0	0.00%	1	100.00%	1
OCAP	0	0	0	0.00%	0	0.00%	0
CAPROP	0	0	0	0.00%	1	100.00%	1
DRUG	0	0	0	0.00%	0	0.00%	0
WPNVLTN	0	0	1	100.00%	0	0.00%	1
DISCND	0	0	0	0.00%	0	0.00%	0
MISC	0	0	1	100.00%	0	0.00%	1
TOTAL	0		2	**50.00%**	2	**50.00%**	**4**
2000							
SMPASLT	0	0	2	40.00%	3	60.00%	5
OCAP	0	0	4	80.00%	1	20.00%	5
CAPROP	0	0	0	0.00%	1	100.00%	1
DRUG	0	0	0	0.00%	2	100.00%	2
WPNVLTN	0	0	0	0.00%	0	0.00%	0
DISCND	0	0	0	0.00%	0	0.00%	0
MISC	0	0	0	0.00%	6	100.00%	6
TOTAL	0		6	**31.58%**	13	**68.42%**	**19**

2001							
SMPASLT	0	0	0	0.00%	0	0.00%	0
OCAP	0	0	1	50.00%	1	50.00%	2
CAPROP	0	0	0	0.00%	0	0.00%	0
DRUG	0	0	0	0.00%	0	0.00%	0
WPNVLTN	0	0	0	0.00%	0	0.00%	0
DISCND	0	0	1	100.00%	0	0.00%	1
MISC	0	0	0	0.00%	0	0.00%	0
TOTAL	0		2	**66.67%**	1	**33.33%**	**3**

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

Omni Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	284	**20.29%**
WHITE	871	**62.33%**
HISPANIC	187	**13.40%**
OTHER	56	**3.98%**
TOTAL	1398	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	41	15	6

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	1999	2000	2001
% of Black	85.37%	80.00%	66.67%
% of Other	14.63%	20.00%	33.33%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested in 1999-2001

1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0.00%	9	90.00%	1	10.00%	10
OCAP	0	0.00%	11	91.67%	1	8.33%	12
CAPROP	0	0.00%	2	66.67%	1	33.33%	3
DRUG	0	0.00%	1	100.00%	0	0.00%	1
WPNVLTN	0	0.00%	2	100.00%	0	0.00%	2
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	10	76.92%	3	23.08%	13
TOTAL	0	0.00%	35	**85.37%**	6	**14.63%**	**41**

2000							
SMPASLT	0	0.00%	1	50.00%	1	50.00%	2
OCAP	0	0.00%	9	90.00%	1	10.00%	10
CAPROP	0	0.00%	1	100.00%	0	0.00%	1
DRUG	0	0.00%	0	0.00%	0	0.00%	0
WPNVLTN	0	0.00%	1	50.00%	1	50.00%	2
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	0	0.00%	0	0.00%	0
TOTAL	0	0.00%	12	**80.00%**	3	**20.00%**	**15**
2001							
SMPASLT	0	0.00%	3	0.00%	1	0.00%	4
OCAP	0	0.00%	0	0.00%	0	0.00%	0
CAPROP	0	0.00%	0	0.00%	0	0.00%	0
DRUG	0	0.00%	1	50.00%	1	50.00%	2
WPNVLTN	0	0.00%	0	0.00%	0	0.00%	0
DISCND	0	0.00%	0	0.00%	0	0.00%	0
MISC	0	0.00%	0	0.00%	0	0.00%	0
TOTAL	0	0	4	**66.67%**	2	**33.33%**	**6**

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

Pahokee Middle/Senior High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	544	**73.14%**
WHITE	42	**5.65%**
HISPANIC	153	**20.58%**
OTHER	5	**0.63%**
TOTAL	743	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	45	53	71

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	1999	2000	2001
% of Black	91.11%	98.11%	98.59%
% of Other	8.89%	1.89%	1.41%

Source: The School District of Palm Beach County, Florida School Police Department

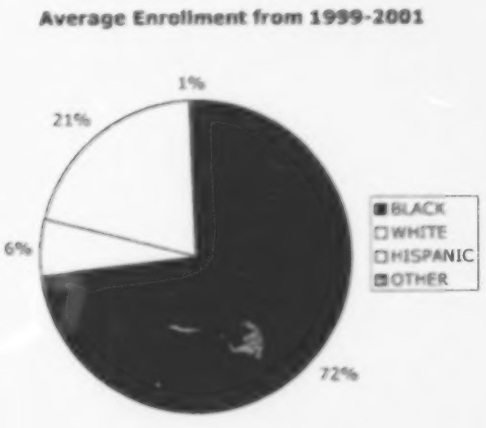
Table 4. Offenses by Race of Persons Arrested 2001

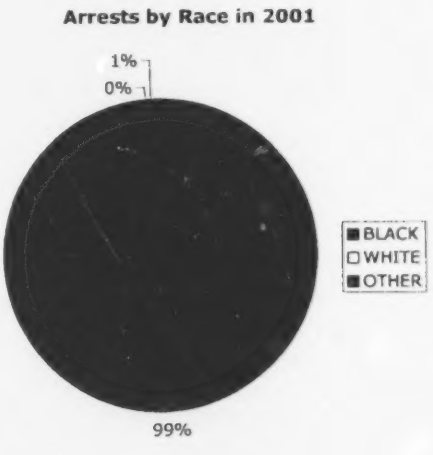
Incident	White	% White	Black	% Black	Other	% Other	TOTAL
1999							
SMPASLT	0	0.00%	8	80.00%	2	20.00%	10
OCAP	0	0.00%	6	100.00%	0	0.00%	6
CAPROP	0	0.00%	2	100.00%	0	0.00%	2
DRUG	0	0.00%	1	50.00%	1	50.00%	2
WPNVLTN	0	0.00%	6	100.00%	0	0.00%	6
DISCND	0	0.00%	13	100.00%	0	0.00%	13
MISC	0	0.00%	5	83.33%	1	16.67%	6
TOTAL	0	0.00%	41	**91.11%**	4	**8.89%**	**45**
2000							
SMPASLT	0	0.00%	17	100.00%	0	0.00%	17
OCAP	0	0.00%	12	100.00%	0	0.00%	12
CAPROP	0	0.00%	1	100.00%	0	0.00%	1
DRUG	0	0.00%	0	0.00%	0	0.00%	0
WPNVLTN	0	0.00%	2	100.00%	0	0.00%	2
DISCND	0	0.00%	16	100.00%	0	0.00%	16
MISC	0	0.00%	4	80.00%	1	20.00%	5
TOTAL	0	0.00%	52	**98.11%**	1	**1.89%**	**53**
2001							
SMPASLT	0	0.00%	14	100.00%	0	0.00%	14
OCAP	0	0.00%	8	100.00%	0	0.00%	8
CAPROP	0	0.00%	22	100.00%	0	0.00%	22
DRUG	0	0.00%	0	0.00%	1	100.00%	1
WPNVLTN	0	0.00%	2	100.00%	0	0.00%	2
DISCND	0	0.00%	15	100.00%	0	0.00%	15
MISC	0	0.00%	9	100.00%	0	0.00%	9
TOTAL	0	0	70	**98.59%**	1	**1.41%**	**71**

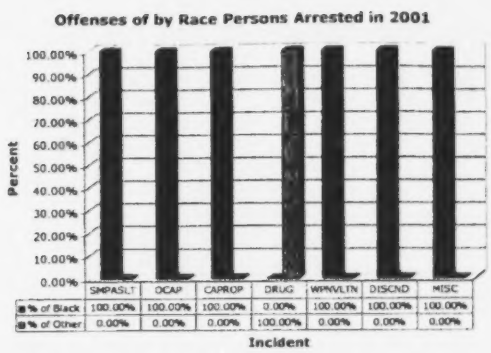
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

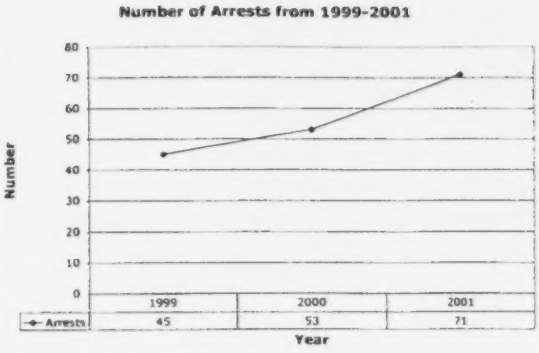
Source: The School District of Palm Beach County, Florida School Police Department

Data Graphs for Pahokee Middle/Senior High School









Santaluces High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	1181	**29.92%**
WHITE	1975.667	**50.05%**
HISPANIC	664.3333	**16.83%**
OTHER	126.3333	**3.20%**
TOTAL	3947.333	

Source: Florida Department of Education *School Advisory Council Reports*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	42	63	20

Source: The School District of Palm Beach County, Florida School Police Department

Table 3. Arrests by Race from 1999-2001

Year	**1999**	**2000**	**2001**
% of Black	50.00%	61.90%	45.00%
% of Other	50.00%	38.10%	55.00%

Source: The School District of Palm Beach County, Florida School Police Department

Table 4. Offenses by Race of Persons Arrested 1999-2001

1999							
Incident	**White**	**% White**	**Black**	**% Black**	**Other**	**% Other**	**TOTAL**
SMPASLT	0	0.00%	3	75.00%	1	25.00%	4
OCAP	0	0.00%	8	88.89%	1	11.11%	9
CAPROP	0	0.00%	0	0.00%	1	100.00%	1
DRUG	0	0.00%	3	25.00%	9	75.00%	12
WPNVLTN	0	0.00%	0	0.00%	4	100.00%	4
DISCND	0	0.00%	1	100.00%	0	0.00%	1
MISC	0	0.00%	6	54.55%	5	45.45%	11
TOTAL	0		21	**50.00%**	21	**50.00%**	**42**

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2000							
SMPASLT	0	0.00%	8	66.67%	4	33.33%	12
OCAP	0	0.00%	15	75.00%	5	25.00%	20
CAPROP	0	0.00%	2	100.00%	0	0.00%	2
DRUG	0	0.00%	2	20.00%	8	80.00%	10
WPNVLTN	0	0.00%	2	50.00%	2	50.00%	4
DISCND	0	0.00%	8	100.00%	0	0.00%	8
MISC	0	0.00%	2	28.57%	5	71.43%	7
TOTAL	0		39	**61.90%**	24	**38.10%**	**63**
2001							
SMPASLT	0	0.00%	1	50.00%	1	1.00%	2
OCAP	0	0.00%	3	75.00%	1	25.00%	4
CAPROP	0	0.00%	1	50.00%	1	50.00%	2
DRUG	0	0.00%	0	0.00%	7	100.00%	7
WPNVLTN	0	0.00%	1	100.00%	0	0.00%	1
DISCND	0	0.00%	2	100.00%	0	0.00%	2
MISC	0	0.00%	1	50.00%	1	50.00%	2
TOTAL	0		9	**45.00%**	11	**55.00%**	**20**

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Source: The School District of Palm Beach County, Florida School Police Department

TEXAS:
Houston Independent School District

Enrollment and arrest data from the Houston Independent School District (HISD) were analyzed. The data available for HISD was limited in comparison to that of other two school districts. A sample of ten schools was analyzed to determine if individual schools reflected similar trends to the district. Sample schools were selected based on the racial demographics of the school with a goal of selecting schools that had different racial demographics but similar enrollment.

Arrest data was obtained from the HISD Police Department *Campus Based Summary Uniform Crime Reports*. Included in the HISD data were the incidents for which students were charged. A separate report included trends in arrests by race for the entire district. Thus, because there was no race information for arrested students at the school level, arrest data was compared with student enrollment in each school. This indicates whether there is any correlation between number of arrests and racial demographics in each school. The individual schools that were examined are as follows:

1. Deady Elementary School
2. Hartman Elementary School
3. Ryan Middle School
4. Thomas Middle School
5. Jackson Middle School
6. Mcreynolds Middle School
7. Henry Middle School
8. Sam Houston High School
9. Davis High School
10. Milby High School

The HISD incident data was presented in two parts. Part I detailed the more serious incidents such as aggravated assault, burglary, theft, & robbery, while Part II detailed lesser incidents such as drug abuse, simple assault, disorderly conduct, vandalism, etc. However, the arrest data was not disaggregated by to the incident, but instead gave the total number of incidents leading to arrest. This made it difficult to decipher which incidents actually led to arrest as not all incidents resulted in arrest. Logically, offenses listed in Part I would likely lead to arrest, however the data did not provide enough information to definitely determine which offenses led to arrest.

In 2001, for example, there were 949 Part I incidents and 1959 arrests. Even if all persons involved in Part I and all Part II incidents (excluding simple assault, disorderly conduct and other charges) were arrested, 441 persons still would have been arrested for simple assault, disorderly conduct, and "other" offenses. This indicates that many students are arrested for minor misconduct. The crimes recorded within the arrest categories for HISD are as follows:

OCAP= Other Crimes Against Persons
Includes:
- Assault on Student **Armed**
- Assault on Staff **Armed**
- Assault on Police **Armed**
- Robbery of a Student & Staff
- Sex offense

DRUG= Drug
Includes:
- Marijuana
- Cocaine/heroin
- Other

DISCNDT= Disorderly Conduct

CAPROP= Crimes Against Property
Includes:
- Breaking & entering
- Arson/malicious burning
- Theft
- Vandalism

SMPASLT= Simple Assault
Includes:
- Assault on Student **Unarmed**
- Assault on Staff **Unarmed**
- Assault on Police **Unarmed**

WPNVLTN= Weapons Violation
Includes:
- Knife
- Firearm
- Other

MISC=Miscellaneous
Includes:
- Miscellaneous
- Trespass
- Bomb Threat

Also included in the Miscellaneous category were incidents listed in the "All Other Offenses" category in the HISD *Uniform Crime Reports*. An official in the HISD records department provided examples of these incidents: fireworks possession or use, contempt of court, bribery, extortion, kidnapping, drug paraphernalia, riot, and public nuisance.

Houston Independent School District Data

Table 1. Enrollment in 2002

Race	2002	% 2002
BLACK	65,951	31.31%
WHITE	20,062	9.52%
HISPANIC	118,200	56.11%
OTHER	6,457	3.06%
TOTAL	210,670	100.00%

Source: Houston Independent School District *Facts & Figures August 2002 Report*

Table 2. Number of Arrests 1999-2001

Year	1999	2000	2001
Arrests	2242	2445	1959

Source: *Uniform Crime Reports*, Houston Independent School District

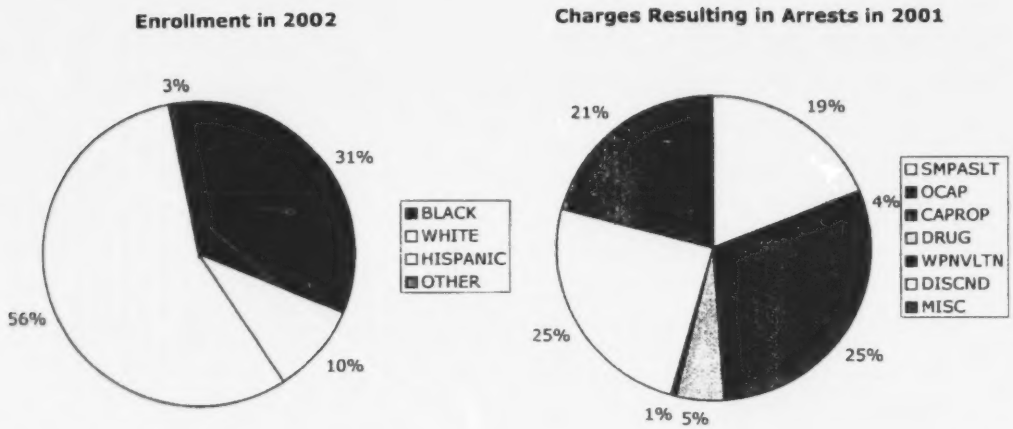
Table 3. Incidents in 1999-2001

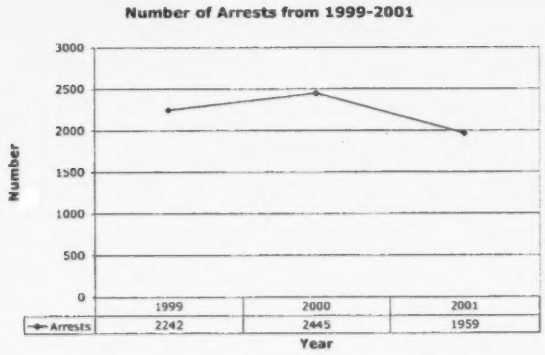
Incident	Number '99	% '99	Number '00	% '00	Number '01	% '01
SMPASLT	**707**	**17.67%**	**709**	**16.39%**	**754**	**18.81%**
OCAP	152	3.80%	144	3.33%	150	**3.74%**
CAPROP	1041	26.01%	984	22.75%	1061	**26.47%**
DRUG	196	4.90%	220	5.09%	194	**4.84%**
WPNVLTN	**35**	**0.87%**	**41**	**0.95%**	**29**	**0.72%**
DISCND	**845**	**21.11%**	**1014**	**23.45%**	**990**	**24.69%**
MISC	**1026**	**25.64%**	**1213**	**28.05%**	**831**	**20.73%**
TOTAL	4002		4325		4009	

Source: *Uniform Crime Reports*, Houston Independent School District

Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Data Graphs for Houston Independent School District





Deady Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average	Average %
BLACK	35	3.00%
WHITE	12	1.00%
HISPANIC	1117	95.00%
OTHER	12	1.00%
TOTAL	1176	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	52	35	21

Source: *Uniform Crime Reports*, Houston Independent School District

Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001
SMPASLT	23	11	15
OCAP	8	2	2
CAPROP	19	2	9
DRUG	4	3	3
WPNVLTN	1	0	0
DISCND	18	19	10
MISC	22	11	11
TOTAL	95	48	50

Source: *Uniform Crime Reports*, Houston Independent School District

Hartman Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average	Average %
BLACK	390	27.04%
WHITE	19	1.33%
HISPANIC	1000	69.30%
OTHER	34	2.33%
TOTAL	1443	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	9	23	33

Source: *Uniform Crime Reports*, Houston Independent School District

Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001
SMPASLT	8	18	9
OCAP	0	4	5
CAPROP	6	7	5
DRUG	1	1	1
WPNVLTN	0	1	1
DISCND	8	10	16
MISC	6	17	9
TOTAL	29	58	46

Source: *Uniform Crime Reports*, Houston Independent School District
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP= Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Ryan Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average	Average %
BLACK	760	87.29%
WHITE	0	0.00%
HISPANIC	96	11.03%
OTHER	12	1.35%
TOTAL	871	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	77	58	46

Source: *Uniform Crime Reports,* Houston Independent School District

Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001
SMPASLT	15	21	21
OCAP	3	6	0
CAPROP	17	12	3
DRUG	2	2	1
WPNVLTN	1	0	0
DISCND	60	39	24
MISC	30	33	10
TOTAL	128	113	59

Source: *Uniform Crime Reports,* Houston Independent School District
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Thomas Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average	Average %
BLACK	692	0.79370031
WHITE	11	0.01306957
HISPANIC	165	0.18968654
OTHER	6	0.00661315
TOTAL	872	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	58	57	48

Source: *Uniform Crime Reports,* Houston Independent School District

Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001
SMPASLT	11	13	15
OCAP	5	1	5
CAPROP	7	11	3
DRUG	5	4	4
WPNVLTN	0	1	0
DISCND	30	37	30
MISC	12	13	7
TOTAL	70	80	64

Source: *Uniform Crime Reports*, Houston Independent School District
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Jackson Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	24	2.02%
WHITE	12	1.00%
HISPANIC	1140	96.32%
OTHER	0	0.00%
TOTAL	1184	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	72	35	15

Source: *Uniform Crime Reports*, Houston Independent School District

Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001
SMPASLT	29	13	4
OCAP	2	0	1
CAPROP	17	9	5
DRUG	1	2	2
WPNVLTN	0	0	0
DISCND	45	18	10
MISC	9	1	8
TOTAL	103	43	30

Source: *Uniform Crime Reports*, Houston Independent School District
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

McReynolds Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average	Average
BLACK	65	8.99%
WHITE	7	1.00%
HISPANIC	644	89.34%
OTHER	2	0.33%
TOTAL	721	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	71	55	53

Source: *Uniform Crime Reports.* Houston Independent School District

Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001
SMPASLT	37	10	16
OCAP	2	2	2
CAPROP	14	17	10
DRUG	4	0	2
WPNVLTN	1	1	0
DISCND	28	32	43
MISC	9	7	4
TOTAL	95	69	77

Source: *Uniform Crime Reports,* Houston Independent School District
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

Henry Middle School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	66	5.98%
WHITE	63	5.66%
HISPANIC	978	88.36%
OTHER	0	0.00%
TOTAL	1107	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	32	38	50

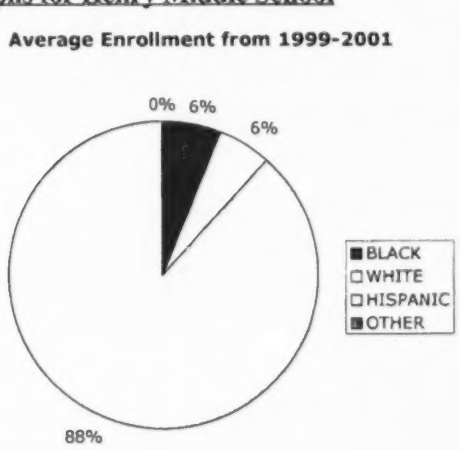
Source: *Uniform Crime Reports.* Houston Independent School District

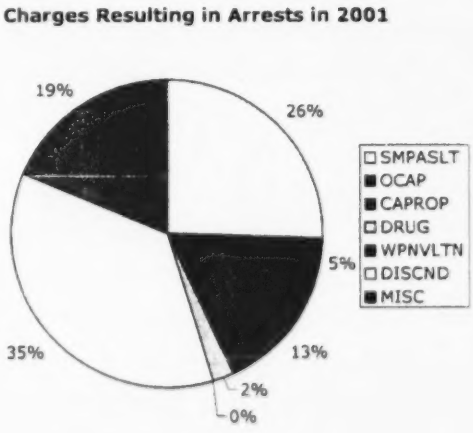
Table 3. Number of Incidents from 1999-2001

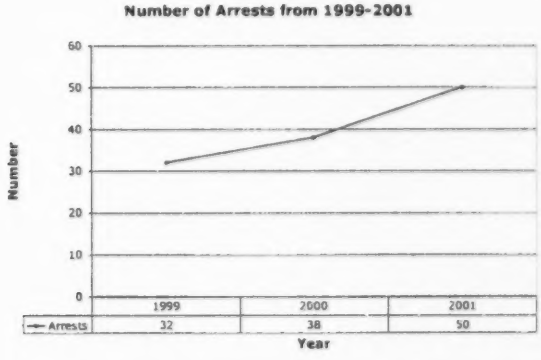
Incident	1999	2000	2001
SMPASLT	11	14	22
OCAP	1	0	4
CAPROP	5	11	11
DRUG	2	7	2
WPNVLTN	0	2	0
DISCND	19	19	31
MISC	3	7	16
TOTAL	41	60	86

Source: *Uniform Crime Reports,* Houston Independent School District

Data Graphs for Henry Middle School







Sam Houston High School

Table 1. Average Enrollment from 1999-2001

Race	Average Enrollment	Average %
BLACK	157	5.66%
WHITE	148	5.34%
HISPANIC	2459	88.66%
OTHER	0	0.00%
TOTAL	2774	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	55	39	44

Source: *Uniform Crime Reports,* Houston Independent School District

Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001
SMPASLT	10	10	14
OCAP	3	1	2
CAPROP	21	11	26
DRUG	9	6	15
WPNVLTN	2	1	0
DISCND	14	15	18
MISC	33	14	11
TOTAL	92	58	86

Source: *Uniform Crime Reports,* Houston Independent School District

Davis High School

Table 1. Average Enrollment 1999-2001

Race	Average Enrollment	Average %
BLACK	170.66	10.01%
WHITE	28.42	1.67%
HISPANIC	1500.57	87.99%
OTHER	0	0.00%
TOTAL	1705.33	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	30	45	19

Source: *Uniform Crime Reports,* Houston Independent School District

Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001	% 2001
SMPASLT	11	20	11	23.40%
OCAP	2	5	2	4.26%
CAPROP	17	9	11	23.40%
DRUG	14	12	6	12.77%
WPNVLTN	0	1	1	2.13%
DISCND	8	12	10	21.28%
MISC	9	9	6	12.77%
TOTAL	61	68	47	

Source: *Uniform Crime Reports,* Houston Independent School District

Milby High School

Table 1. Average Enrollment from 1999-2001

Race	Average	Average %
BLACK	244.19	8.93%
WHITE	134.86	4.93%
HISPANIC	2285.22	83.61%
OTHER	66.63	2.44%
TOTAL	2733.33	

Source: *Houston Independent School District Profiles*

Table 2. Number of Arrests from 1999-2001

Year	1999	2000	2001
Arrests	71	92	90

Source: *Uniform Crime Reports,* Houston Independent School District

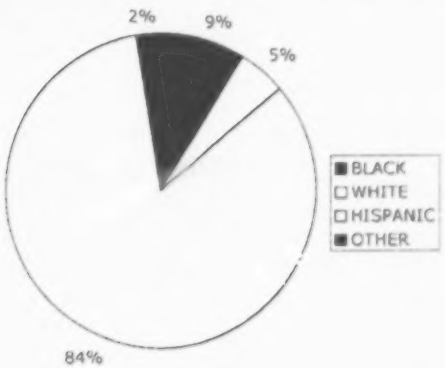
Table 3. Number of Incidents from 1999-2001

Incident	1999	2000	2001
SMPASLT	13	14	14
OCAP	3	3	9
CAPROP	21	16	14
DRUG	7	12	9
WPNVLTN	0	1	0
DISCND	33	53	53
MISC	28	34	37
TOTAL	105	133	136

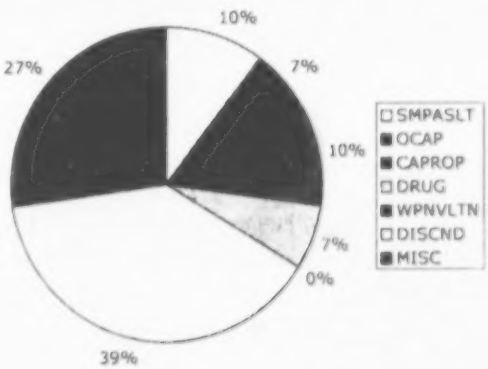
Source: *Uniform Crime Reports,* Houston Independent School District
Key: SMPASLT=Simple Assault; OCAP=Other Crimes Against Persons; CAPROP=Crimes Against Property; DRUG=Drug Violations; WPNVLTN=Weapons Violations; DISCND=Disruption; MISC=Miscellaneous

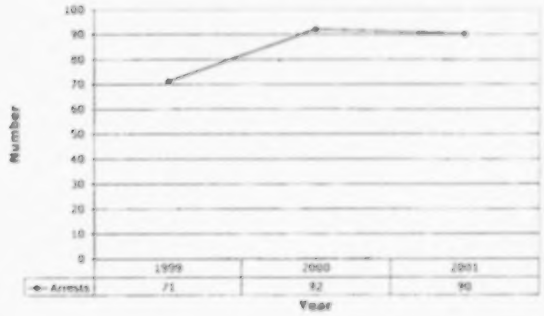
Data Graphs for Milby High School

Average Enrollment from 1999-2001



Charges Resulting in Arrests in 2001





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APPENDIX III
Diversion Programs

Youth diversion programs provide an alternative to channeling youth through the juvenile justice system. Effective diversion programs prevent future criminal conduct, prevent youth from incurring a criminal record, save money and foster community accountability and relationships with youth. There are a broad array of programs that vary in structure, approach, constituency served and sanctions employed. The following are examples diversion programs. These programs have not been evaluated as part of this project and thus, are not being endorsed.

Palm Beach Youth Court

There are two Youth Court diversion programs in Palm Beach County, FL: Youth Court Trial Program and Teen Arbitration Program. Many of the youth referred to these programs are referred directly from Palm Beach County Public Schools. The goals of these programs are: to reduce the number of youth who are channeled through the juvenile justice system and who, as a result, end up with a criminal record; to reduce likelihood for youth to become repeat offenders; and they are a cost effective way of handling first time youth offenders.

The Youth Court Trial Program receives referrals from the Palm Beach County Schools Police and local law enforcement agencies. The program relies upon students to act as bailiffs, jurors, and attorneys in the youth court. The youth jury determines the sanctions once the trial is concluded. The Teen Arbitration Program, which receives cases from the State's Attorney, handles cases in a quick and informal manner at the community level. A third party panel, comprised of specially trained community volunteers and student volunteers, listens to the facts of the case and determines appropriate sanctions for the youth offender.

Juvenile First Offenders (JFOs) who are between the ages of 7 and 18 and who are arrested for a criminal offense defined as a misdemeanor or non-violent felony may be referred to a PBC diversion program. Typically, the Youth Court Trials Program handles JFOs charged with petit theft, possession of marijuana, and battery. If the juvenile has prior arrests, the case is sent to the State Attorney's Office, which has the authority to forward cases to the Teen Arbitration Program. Youth are referred to the program "at the discretion of either the law enforcement officer or the State Attorney's Office. If youth are diverted to Youth Court Trial through a First Offender Program rather than by the State Attorney's Office referral to the Youth Court Diversion, there is no juvenile delinquency record" (Barnett, 42). The juvenile probation officers are the parties responsible for recommending each juvenile for diversion to the state attorney at the time of arrest/intake. To participate in one of these programs, the victim must consent, the JFO must admit to the offense, and the parent/guardian and juvenile must agree to the conditions of the program. If any of these conditions is not met, then the case is handled by the State Attorney's Office instead of by the diversion program

Participants in these diversion programs are disproportionately white, despite the fact that black youth are disproportionately charged. The demographics are as follows:

ARREST AND DIVERSION RATES BY RACE FOR PALM BEACH COUNTY YOUTH (1999-2000)

	% of arrested population	% of diverted population
White, non-Hispanic	43.9%	57.4%
Hispanic	4.3%	7.3%
Black	50.6%	34.4%

Some advocates attribute this racial disparity to the discretion used by police officers in referring youth to the program.

The types of cases in these programs have been as follows[1]:

17%: Assault, possession of alcoholic beverage by a minor, possession of tobacco product, disorderly conduct, loitering, trespassing.

64%: Assault on an officer, assault on a school employee, battery, criminal mischief (less than $200), petit theft, possession of marijuana (less than 20g), trespassing on school campus, unauthorized possession of a driver's license.

10%: Aggravated assault with deadly weapon, battery on an officer, battery on a school employee, carrying a concealed weapon, criminal mischief ($200-$1,000), grand theft ($300-$20,000), possession of marijuana with intent to sell, possession of a weapon on school campus, trespassing on a construction site

3%: Aggravated battery, aggravated battery with deadly weapon, burglary of a dwelling, criminal mischief (more than $1,000)

The Palm Beach County Youth Court definition of recidivism encompasses first offenders who have committed a second offense and are thus, deemed "unsuccessful." Using this definition, the recidivism rate for the PBC Youth Court Program in 1999-2000 is 14.5%. This rate is much higher than the national average of 3-8%, but does fall within Florida's range of 5-15%

Westmoreland County, PA: Youth Commissions

The Westmoreland County Youth Commission is based upon the philosophy of "Balanced and Restorative Justice." The program provides "balanced attention to accountability, competency development, and community protection/public safety when sanctioning youths." The primary objectives of this program are to reduce the caseload of juvenile courts, reduce costs by diverting youth from various residential treatment facilities, provide an opportunity for juvenile offenders to form close relationships with community members and, as a result, reduce recidivism and encourage socially appropriate behavior.

Youth are referred to the program by the Juvenile Service Center, the police, or District Magistrates. Eligible youth must be between the ages of 10 and 17, the offense must be the youth's first offense, and the offense must be a "dependent, summary, or misdemeanor offense not involving force." The juvenile must admit to the offense, and the youth, his/her parent/guardian and the victim must agree to participate.

The top five offenses of youth participating in the program are:

Disorderly Conduct	30.1%
Theft/receiving stolen property	14.1%
Harassment	11.7%
Incorrigibility/dependency	9.6%
Tobacco use in school	8.8%

The program utilizes a variety of sanctions, each of which generally falls into one of the following categories: Accountability Sanctions (community service, restitution, apologies); Competency Sanctions (counseling, an essay, monitoring of grade/school performance); and Protection and Public Safety Sanctions (curfew and other social restrictions). Sanctions are determined by the Commissioners, who are community volunteers appointed by the Juvenile Court Judge.

Chicago, IL: Community Panels for Youth

Chicago's Community Panels for Youth (CPY) program is based on the notion that community members should be involved in issues of youth misbehavior, crime and violence in their own communities, and that community solutions are the most effective solutions for a majority of cases that are overwhelming the juvenile justice system. Like many other youth diversion programs, CPY is based on the model of Balanced and Restorative Justice, which means that it helps youth understand the seriousness of their actions and to take accountability for those actions.

Youth who are under the age of 17 and who are first time, non-violent offenders (or who they have a minor criminal background) are screened for CPY. The cases are first reviewed by the State Attorney's Office. Youth must admit to the offense in order to be eligible for the program, and victims must agree to participate in the program as well as the youth offender. Approximately 70% of participants are African American and 25% are Latino.

Trained community members facilitate and mediate discussions between the victim, the youth offender, and the youth's parent or guardian. The community panel members then meet with the youth and the youth's parent or guardian to inquire about home life, school performance, interests, skills, and talents in order to develop an individualized contract with the youth that provides a form of compensation to the victim and the community. Only about 9% of youth that successfully complete the program have had contact with the Juvenile Court System on an unrelated charge.

San Francisco, CA: Community Assessment and Referral Center (CARC)

CARC is operated by Huckleberry Youth Programs, a non-profit community organization. CARC provides a single point of entry to many services for the arrested youth. The Center is staffed with workers from juvenile probation, public health, the sheriff's department, the police department, and community-based organizations. The philosophy of this approach is that broad collaboration and a variety of assessment and assistance programs can offer the most comprehensive guidance and support for arrested youth, and ultimately will prevent future arrests.

CARC is contacted each time a youth in San Francisco is arrested. CARC has an on-sight probation officer who determines whether or not to admit youth. CARC works with youth between the ages of 11 and 17 who receive felony and misdemeanor charges as well as with repeat offenders, but does not take youth offenders who have been arrested for violent felonies (such as murder, rape, arson, domestic violence, etc.). Approximately 60% of the youth who are brought to CARC are arrested for misdemeanor offenses, while the remaining 40% are arrested for felony charges. CARC works with approximately 25% of the youth arrested in San Francisco, or 600 youth per year. Approximately 25% of these youth are arrested at school, typically for property crimes, theft, battery and assault without serious injury, and marijuana possession. Youth participants are released to their parent/guardian following a meeting with a case manager who assesses their needs and refers them to appropriate providers. Less than 22% of CARC participants have re-offended in the 12 months following completion of probation.

Brooklyn, NY: Red Hook Youth Court

The Red Hook Youth Court emphasizes accountability and early intervention to prevent future criminal behavior, community service, and guidance for youth. Its mission is to have a positive impact on the youth offenders and youth who participate in running the court. Youth serve as youth advocates, community advocate, bailiff, judge, and jury.

Youth are typically referred to the Red Hook Youth Court directly from police from one of three precincts. Officers are permitted to use some discretion in referring cases to the youth court. Any youth affiliated with a street gang is automatically ineligible for the diversion program. For a variety of reasons, only about 25% of referrals result in a youth court appearance.

Red Hook Youth Court has several important features that set it apart from other teen court programs. Because the program relies heavily on the strong influence of peer pressure, a concerted effort has been made to recruit youth that the youth offender could truly relate to—instead of straight 'A' students, student participants have had histories of truancy and other troubles in school or with the law. These students are trained to perform the functions of the court. Also, Red Hook Youth Court is one of the "first to serve a densely populated low-income community."[2] While many youth courts existed in suburban or rural jurisdictions, few were found in communities like Red Hook.

Resources

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ENDNOTES APPENDIX III

[1] See Barnett, Rosemary et al, *An Evaluation of the Palm Beach County Youth Court,* April 30, 2001 (p. 15)

[2] Anderson, David, *Kids, Courts and Communities: Lessons from the Red Hook Youth Court,* 1999 (p. 2)

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